Division of Solid and Hazardous Waste
401 East State Street
P.O. Box 414
Trenton, New Jersey 08625-0414
Phone # (609) 292-9880
Fax # (609) 633-9839

Hazardous Waste Facility Permit

Under the provisions of N. J. S. A. 13: 1E I et seq. known as the Solid Waste Management Act, this permit is hereby issued to:

Clean Earth of North Jersey, Inc.
105 Jacobus Avenue
Kearny, New Jersey 07032

For the Purpose of Operating a:	Hazardous Waste Treatment, Storage and Transfer Facility
On Lot No.:	14, 14A
Block No.:	289
In the Municipality of:	Kearny Town
County:	Hudson
Under Facility Permit No.:	0907N1HP14
USEPA ID No.:	NJD 991 291 105

This permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This permit shall not prejudice any claim the State may have to riparian land, nor does it allow the permittee to fill or alter or allow to be filled or altered in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection or the U.S. Environmental Protection Agency. This permit does not authorize the operation of a Major Hazardous Waste Facility as defined at N.J.A.C. 7:26G-14.6.

July 18, 1994
Issuance Date

June 30, 1998
Reissuance Date

July 30, 1998
Effective Date

_____
Thomas Sherman
Assistant Director,
Division of Solid and Hazardous Waste

November 23, 1998	August 10, 1999	May 22, 2002
Modification Date	Modification Date	Modification Date
December 30, 1998	September 25, 2001	August 18, 2004
Modification Date	Modification Date	Expiration Date

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Modified 09/25/01

Scope of Permit

The conditions of this permit are based on the New Jersey hazardous waste regulations at N.J.A.C. 7:26G and on the permit application submitted by the permittee. N.J.A.C. 7:26G "incorporates by reference" (with limited exception) the Federal hazardous waste regulations found at Parts 124, 260-266, 268 and 270, Title 40 of the Code of Federal Regulations (C.F.R.). In order to eliminate confusion, and to clearly describe the precise obligations that are imposed upon the permittee, only the specific Federal regulatory citations are listed in the conditions of this permit. For the applicable State regulatory citations, refer to N.J.A.C. 7:26G.

This permit, along with the referenced permit application documents herein specified, shall constitute the sole Hazardous Waste Facility Permit for the construction and operation of a hazardous waste treatment, storage and transfer facility by Clean Earth of North Jersey, Inc., located in Kearny Town, Hudson County, New Jersey. Any registration, approval or permit previously issued by the 0ffice of Permitting or its predecessor agencies is hereby superseded. The permittee need not comply with the conditions of this permit to the extent and for the duration such non-compliance is authorized by an emergency permit (40 C.F.R. § 270.61).

Section I of this permit contains the general conditions applicable to all hazardous waste facility permits. Section II of this permit contains general conditions applicable to Clean Earth of North Jersey, Inc. Section III of this permit contains specific conditions applicable to the hazardous waste management practices at the Clean Earth of North Jersey, Inc., facility.

Description of Hazardous Waste Activities

Modified 8/10/99, Modified 05/22/02

The permittee owns and operates a commercial hazardous and non-hazardous waste storage, transfer and treatment facility. The facility receives waste streams consisting of various hazardous and non-hazardous waste types from off-site generators. The wastes are stored on-site in containers and tanks, treated on-site in containers, tanks and process equipment or transferred off- site in containers. The facility has an existing hazardous waste storage capacity of 234,500 gallons in containers and 15,000 gallons in tanks. The facility proposes to construct additional waste management areas including a non-hazardous waste container storage pad, storage/processing building, tanker storage area, processing building, several loading/unloading areas and a containment building. The total permitted hazardous waste storage capacity in containers and tanks is 249,500 gallons.

Existing waste treatment activities at the facility include the blending of wastes in tanks and tankers to meet the specification of off-site authorized industrial boilers or furnaces, solvent reclamation facilities, hazardous waste incinerators, marketers of hazardous waste fuel and treatment facilities. Additional waste treatment activities include the solidification/stabilization of waste solids, slurries and sludges in concrete cells, containers and a containment building, container repackaging and the homogenization of waste in containers.

Summary of Permit Compliance Conditions at the Facility

1. (Deleted 09/25/01)

2. (Deleted 09/25/01)

3. In accordance with Condition 6(e)l of Section III of this permit, within thirty (30) days after completion of each construction/installation specified in Condition 6(a) of Section III of this permit, the permittee shall submit to the Department by certified mail or hand delivery, a letter signed by the permittee and a professional engineer registered in the State of New Jersey stating that the facility has been constructed or modified in compliance with the permit in accordance 40 C.F.R. 270.30(l)(2)(i).

Added 05/22/02

4. In accordance with Section III, Condition 2(c)(1)(iii) of this permit, the permittee shall begin closure of existing solidification/stabilization area #1 authorized by Section III, Condition 1(c)(1) for the treatment, storage and transfer of hazardous waste within thirty (30) days from the date the Department approves the use of the proposed containment building.

Modification 11/23/98

In response to the permittee's July 23, 1998, letter contesting the final hazardous waste facility permit issued to S&W Waste, Inc. by the Department on June 30, 1998, the Department has added a new condition that references the July 23, 1998, letter in the permit's referenced Permit Application Documents as Section II, Condition 12(a)22. In addition, the Department has modified Section III, Conditions 3(d)(2)(ii) and 3(d)(3), Waste Analysis and Quality Assurance Requirements of the permit.

Modification 12/30/98

In response to Shanley & Fisher A Professional Corporation's December 8, 1998, notification in accordance with 40 C.F.R. 270.42(a)(1)(i), in behalf of S&W Waste, Inc., for a Class I permit modification, with prior approval from the Department, for the transfer of S&W Waste, Inc.'s hazardous waste facility permit, the Department has transferred hazardous waste facility permit number 0907N1HP10 issued to S&W Waste, Inc. by the Department on July 18, 1994, subsequently reissued on June 30, 1998, to S&W Acquisition Corporation, a wholly owned subsidiary of Clean Earth, Inc. under the name of S&W Waste, Inc. and hazardous waste facility permit number 0907N1HP11. As described in the notification, all of the stock of the existing S&W Waste, Inc. was purchased by Clean Earth, Inc. as part of the merger of existing S&W Waste, Inc. into a newly formed company, S&W Acquisition Corporation. In addition, S&W Acquisition Corporation will change its name to S&W Waste, Inc. and the merged entity will be the owner/operator of the business. This transaction was completed on December 30, 1998.

Modification 8/10/99

In response to the permittee's March 5, 1999, request for a Class I permit modification subsequently revised May 27, 1999, the Department has added as new conditions the permittee's January 8, 1999, March 5, 1999, and May 27, 1999, letters to the Department at Section II, Condition 12(a) Referenced Permit Application Documents. Section III, Condition l(b)(1) has been modified by splitting this condition into two conditions l(b)(1)(i) for hazardous waste storage/treatment tanks and l(b)(1)(ii) for non-hazardous waste storage/treatment tanks. Section III, Condition 1(b)(4) has been modified by changing the wording of this condition's title from Operating Requirements for the Storage/Treatment Tanks to Operating Requirements for the Hazardous Waste Storage/Treatment Tanks and a new condition has been added as Section III, Condition 1(b)(5) for the Operating Requirements for the Non-Hazardous Waste Storage/Treatment Tanks. Section III, Condition l(b)(4)(vii) has been modified by adding the word non-hazardous after the word hazardous. Section III, Condition l(b)(4)(viii) has been modified to clarify that only hazardous/non-hazardous waste tank storage volume may be substituted for its equivalent hazardous/non-hazardous waste container storage volume. Section III, Condition 4(d)(1) has been modified by changing the wording of this condition's title from Inspection Requirements for the Aboveground Storage/Treatment Tanks to the Inspection Requirements for the Hazardous Waste Aboveground Storage/Treatment Tanks and a new condition has been added as Section III, Condition 4(d)(4) as Inspection Requirements for the Non-Hazardous Waste Aboveground Storage/Treatment Tanks. Section III, Condition 4(d)2, Initial Tank System Assessment has been deleted. Section III, Condition 5(b), has been modified by changing the wording of this condition's title from Aboveground Storage/Treatment Tanks to Aboveground Hazardous Waste Storage/Treatment Tanks and a new condition has been added at Section III, Condition 5(c) as Non-Hazardous Waste Aboveground Storage/Treatment Tanks.

Modification 09/25/01

In response to S&W Waste, Inc.'s notification of a Class 1 permit modification to construct a roof over container storage pad "B", the Department has added the January 18, 2001, subsequently revised June 22, 2001, application and engineering designs at Section II, Condition 12(a) of the permit. The facility's name was changed from S&W Waste, Inc. to Clean Earth of North Jersey, Inc. pursuant to the facility's August 9, 2001, notification. The facility's revised Contingency and Emergency Response Plan dated June 11, 2001, has been added to Section II, Condition 12(b)(2) of the permit. Section I, Condition 12(f)(4)-Twenty-four Hour Reporting and Section II, Condition 4(c)(1)-Contingency Plan has been modified to update the telephone number of Department's hotline for reporting environmental emergencies or abuse. In addition, Section I, Condition 12(f)(4) has been modified to update the enforcement Bureau's name. Section II, Condition 11-Submission of Documents Required by Permit Compliance Conditions has been modified to update the permitting and enforcement Bureau's names and mailing addresses. Conditions 4(d)(3), 6(f)-(i) and 7 of Section III of the permit have been deleted because these conditions have been satisfied.

Modification 05/22/02

In response to the permittee's October 2, 2000, request for a Class 2 permit modification, the permit has been modified by authorizing construction of a containment building, closure of existing solidification/stabilization area no. 1, construction of a non-hazardous waste container storage pad, storage of non-hazardous waste within the Hockmeyer area, and storage of hazardous waste codes K141, K147 and K148 in containers. The permit has also been modified to amend the current authorization for the repackaging and processing of lab pack containers at Pad "C" and to clarify the authorization and requirements for handling asbestos containing waste.

Section I

General Conditions Applicable to All Permits (40 C.F.R. § 270.30)

1. Duty to Comply

The permittee must comply with all conditions of this permit, except that the permittee need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit. (See 40 C.F.R. § 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of the appropriate Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Duty to Reapply

(a) If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

(b) A complete application for a new permit shall be submitted at least one hundred eighty (180) days prior to the expiration date of this permit.

3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Need to Mitigate

In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.

5. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

6. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or

a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

7. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

9. Inspection and Entry

The permittee shall allow an authorized representative of the Department upon the presentation of credentials and other documents as may be required by law to:

(a) Enter at reasonable times upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) Inspect at reasonable times any facilities, equipment (including monitoring and control, equipment), practices, or operations regulated or required under this permit; and

(d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

10. Monitoring and Records

(a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, the certification required by 40 C.F.R. § 264.73(b)(9) of this chapter, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, certification, or application. This period may be extended by request of the Department at any time. The permittee shall maintain records from all ground-water monitoring wells and associated ground-water surface

elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.

(c) Records for monitoring information shall include:

(1) The date, exact place, and time of sampling or measurements;

(2) The individual(s) who performed the sampling or measurements;

(3) The date(s) analyses were performed;

(4) The individual(s) who performed the analyses;

(5) The analytical techniques or methods used; and

(6) The results of such analyses.

11. Signatory Requirements

All applications, reports, or information submitted to the Department shall be signed and certified. (See 40 C.F.R. § 270.11).

12. Reporting Requirements

(a) Planned Changes

The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility.

(b) Anticipated Noncompliance

(1) The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. For a new facility, the permittee may not treat, store, or dispose of hazardous waste; and for a facility being modified, the permittee may not treat, store, or dispose of hazardous waste in the modified portion of the facility except as provided in 40 C.F.R. § 270.42, until:

(i) The permittee has submitted to the Department by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and

(ii) (A) The Department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

(B) If, within 15 days of the date of submission of the letter in paragraph 12(b)li of this section, the permittee has not received notice from the Department of his or her intent to inspect, prior inspection is waived and the permittee may commence treatment, storage, or disposal of hazardous waste.

(c) Transfers

This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under RCRA. (See 40 C.F.R. § 270.40).

(d) Monitoring Reports

Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(e) Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(f) Twenty-four Hour Reporting

(1) The permittee shall report any noncompliance which may endanger health or the environment orally within 24 hours from the time the permittee becomes aware of the circumstances, including:

(i) Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.

(ii) Any information of a release or discharge of hazardous waste or of a fire or explosion from the HWM facility, which could threaten the environment or human health outside the facility.

(2) The description of the occurrence and its cause shall include:

(i) Name, address, and telephone number of the owner or operator;

(ii) Name, address, and telephone number of the facility;

(iii) Date, time, and type of incident;

(iv) Name and quantity of material(s) involved;

(v) The extent of injuries, if any;

(vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and

(vii) Estimated quantity and disposition of recovered material that resulted from the incident.

(3) A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Department may waive the five-day written notice requirement in favor of a written report within fifteen days.

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(4) Oral Notification shall be provided to the NJDEP Hotline at 1-877-WARN DEP. Written notification shall be provided to the Bureau of Hazardous Waste and Transfer Facilities and the Bureau of Hazardous Waste Compliance and Enforcement at the addresses provided in Condition 11 of Section II of this permit.

(g) Manifest Discrepancy Report

If a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy. If not resolved within fifteen days, the permittee must submit a letter report, including a copy of the manifest, to the Department. (See 40 C.F.R § 264.72.)

(h) Unmanifested Waste Report

This report must be submitted to the Department within 15 days of receipt of unmanifested waste. (See 40 C.F.R. § 264.76.)

(i) Biennial Report

A biennial report must be submitted covering facility activities during odd numbered calendar years. (See 40 C.F.R. § 264.75.)

(j) Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraphs (d), (e) and (f) of this condition, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this condition.

(k) Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

End of Section I

Section II

General Conditions Applicable to Clean Earth of North Jersey, Inc. Facility Permit

1. Permit Modification or Revocation and Reissuance

Cause for, and procedures of, modification, or revocation and reissuance of this permit shall be as provided under 40 C. F. R. § 270.41.

2. Personnel Training (40 C.F.R. § 264.16)

(a) Facility personnel shall successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that insures the facility's compliance with the requirements of 40 C.F.R. § 264.16, as stated in the facility's Part B permit application, and as referenced in Condition 12 (b) of Section II of this permit. New employees shall be trained within six (6) months of the date of employment.

(b) The training program shall be maintained with records and documentation describing the type and amount of both introductory and continuing training that has been and will be given to each person engaged in hazardous waste management at the facility.

(c) The permittee shall keep the training records on current personnel until closure of the facility; training records on former employees shall be kept for at least three (3) years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

3. Preparedness and Prevention (40 C.F.R. § 264.30 through § 264.37)

The facility shall be designed, constructed, maintained and operated to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, surface water or groundwater which could threaten human health or the environment.

(a) The facility shall be equipped with emergency equipment, including but not limited to:

(1) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;

(2) A device, such as a telephone (immediately available at the scene of operations), or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;

(3) Portable fire extinguisher, fire control equipment, spill control equipment, and decontamination equipment; and

(4) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

(b) All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, shall be tested and maintained as necessary to assure its proper operation in time of emergency.

4. Contingency Plan (40 C.F.R. § 264.50 through § 264.56)

(a) The provisions of the Contingency Plan included in the Part B permit application plus all amendments, revisions and modifications thereof subsequently submitted for review and accepted by the Department, and as referenced in Condition 12(b) of Section II of this permit, shall be carried out immediately whenever there is a fire, explosion or release of hazardous waste constituents which could threaten human health or the environment.

(b) When an emergency coordinator determines that the facility has had a discharge, fire, or explosion which could threaten human health or the environment outside the facility, the emergency coordinator shall immediately notify the local Fire Department and local Police Department if an assessment indicates that evacuation of local areas may be advisable. The emergency coordinator shall be available to help officials decide if local areas should be evacuated. The telephone numbers are:

Fire Department: (201) 991-1400

Police Department: (201) 998-1313

(c) (1) If the facility has a discharge, fire, or explosion which could threaten human health or the environment, the following shall be notified immediately:

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New Jersey Department of Environmental Protection
Communication Center/Trenton Dispatch
Bureau of Communication and Support Services
Trenton, NJ 08625
Telephone 1-877-WARN-DEP

(2) Additionally, if the emergency coordinator determines that the facility has had a discharge, fire, or explosion which could threaten human health or the environment outside the facility, the emergency coordinator shall immediately notify:

National Response Center
2100 Second Street, SW
Washington, D.C. 20593
Telephone 1-800-424-8802 (24 Hours)

(d) If the emergency coordinator determines that the facility has had a discharge, fire, or explosion which would threaten human health or the environment, the emergency coordinator shall immediately notify the agencies listed in Condition 4(c) above. When notifying these agencies, the coordinator shall report the type of substance and the estimated quantity discharged, if known; the location of the discharge; actions the person reporting the discharge proposes to take to contain, clean up and remove the substance if any and any other information concerning the discharge which the Department may request at the time of notification.

(e) The owner or operator shall note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the owner or operator shall submit a written report on the incident to the Department. The report shall include, but not be limited to:

(1) Name, address, and telephone number of the owner or operator;

(2) Name, address, and telephone number of the facility;

(3). Date, time, and type of incident;

(4) Name and quantity of material(s) involved;

(5) The extent of injuries, if any;

(6) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and

(7) An estimated quantity and disposition of recovered material that resulted from the incident.

5. Security (40 C.F.R. § 264.14)

(a) The permittee must maintain the security procedures as described in the facility's Part B permit application plus all amendments, revisions and modifications thereof subsequently submitted for review and accepted by the Department, and as referenced in Condition 12(a) of Section II of this permit.

(b) The permittee shall prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto the active portion of the facility.

(1) A facility shall have:

(i) A 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility; or

(ii) An artificial or natural barrier, which completely surrounds the active portion of the facility; and a means to control entry, at all times, through the gates or other entrances to the active portion of the facility.

(2) The requirements of paragraph (b)1 are satisfied if the hazardous waste storage, treatment or disposal site is located in a facility which itself has a surveillance system, or a barrier and a means to control entry, which complies with the requirements of subparagraph (b)1i or (b)1ii.

(3) The owner or operator shall post a sign with the legend, "Danger - Unauthorized Personnel Keep Out", at each entrance to the active portion of a facility, and at other locations, in sufficient numbers to be seen from any approach to this active portion. The legend shall be written in English and in any other language prevalent in the area surrounding the facility and must be legible from a distance of at least twenty five (25) feet. Existing signs with a legend other than "Danger - Unauthorized Personnel Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion, and that entry onto the active portion can be dangerous.

6. Termination of a Permit (40 C.F.R. § 270.43)

The following are causes for terminating a permit during its term or for denying a permit renewal application:

(a) Noncompliance with any condition of this permit; or

(b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

(c) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.

7. Operating Record (40 C.F.R. § 264.73)

The permittee shall keep a written operating record at the facility in which the information required under 40 C.F.R. § 264.73(b) shall be recorded. The information shall be recorded as it becomes available and maintained in the operating record until closure of the facility.

8. Permit Limitations (40 C.F.R. § 270.4(c))

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights or any infringement of applicable Federal, State, or local laws or regulations.

9. Financial Requirements (40 C.F.R. Part 264 Subpart H)

(a) The permittee shall maintain financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility. The permittee shall have and maintain liability coverage for sudden occurrences in the amount of at least $1 million per occurrence with an annual aggregate of at least $2 million exclusive of legal defense costs. The permittee shall demonstrate financial responsibility for sudden accidental occurrences according to the mechanisms given in 40 C.F.R. § 264.147 paragraphs (a)(1), (2), (3), (4), (5) or (6).

(b) The permittee shall establish financial assurance for closure of the facility. The permittee shall use a financial assurance mechanism approved by the Department, from the options specified in paragraphs (a) through (f) of 40 C.F.R. § 264.143.

(c) The permittee shall have a detailed written closure cost estimate of closing the facility in accordance with 40 C.F.R. § 264.142(a). The permittee shall adjust the closure cost estimate for inflation within sixty (60) days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with 40 C.F.R. § 264.143. If the permittee uses the financial test or corporate guarantee, the closure cost estimate shall be updated for inflation within thirty (30) days after the close of the firm's fiscal year and before submission of the updated information to the Department. The adjustment may be made by recalculating the maximum costs of closure in current dollars, or by using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator for the previous year.

(1) The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.

(2) Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.

(d) During the active life of the facility, the permittee shall revise the closure cost estimate no later than (30) days after the Department has approved the request to modify the closure plan, if the change in the closure plan increases the cost of closure. The revised closure cost estimate must be adjusted for inflation as specified in 40 C.F.R. § 264.142(b).

(e) The permittee shall keep at the facility during the operating life of the facility, the latest closure cost estimate prepared in accordance with 40 C.F.R. § 264.142(a) and (c) and, when this estimate has been adjusted in accordance with 40 C.F.R. § 264.142(b), the latest adjusted closure cost estimate.

(f) The wording of all financial documents (except for the insurance policy itself) that are submitted under paragraphs (a), (b) and (c) of this Condition must be as per 40 C.F.R. § 264.151 with the changes specified at N.J.A.C. 7:26G-8.1(c)8.

10. Compliance with Other State Regulations and Statutes

The permittee shall comply with all regulations of the Department of Environmental Protection and other State Statutes applicable to the facility. Regulations are effective upon publication in the New Jersey Register or as otherwise indicated in the Notice of Adoption in the New Jersey Register.

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11. Submission of Documents Required by Permit Compliance Conditions

The permittee shall submit all permit compliance documents required by this permit to the following:

(a) New Jersey Department of Environmental Protection
Office of Permitting and Technical Programs
Bureau of Hazardous Waste and Transfer Facilities
P.O. Box 414
Trenton, NJ 08625-0414

(b) New Jersey Department of Environmental Protection
Solid and Hazardous Waste Compliance and Enforcement
Bureau of Hazardous Waste Compliance and Enforcement – Northern Region
1259 Route 46 East, Bldg. 2
Parsippany, NJ 07054-4191

12. Referenced Permit Application Documents

(a) The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the regulations contained in 40 C.F.R. Parts 260 through 270, the conditions of this permit, and the following permit application documents:

(1) February 15, 1983, Part A and B permit application for a hazardous waste facility signed by William J. Moscatello, S&W Waste, Inc. subsequently revised May 31, 1983, and August 10, 1984;

(2) October 19, 1984, report containing additional information on the Part A and B permit application signed by William J. Moscatello, S&W Waste, Inc;

(3) February 26, 1985, Soil Sampling and Analysis Plan signed by George A. Leahy, P.E., Wehran Engineering subsequently revised March 20, 1985;

(4) April 3, 1985, report containing additional information on the Part A and B permit application signed by Thomas L. Moran, Director of Environmental Affairs, S&W Waste, Inc.;

(5) July 9, 1987, report containing the operating procedures for the transferring and processing of lab packs, signed by Robert J. Chitron, Environmental Manager, S&W Waste, Inc.;

(6) July 15, 1988, arrangement plan for containerized hazardous waste storage signed by Frank Czigler, Engineering Manager, S&W Waste, Inc.;

(7) November 22, 1988, report containing additional information on auxiliary equipment signed by Frank Czigler, Engineering Manager, S&W Waste, Inc.;

(8) May 15, 1989, report containing additional information on waste types signed by Robert Fixter, Environmental Manager, S&W Waste, Inc., subsequently revised May 17, 1989, and April 27, 1989;

(9) April 3, 1989, report containing additional information on solidification of waste with absorbent agents in drums signed by John S. Costanzo, Vice President, S&W Waste, Inc.;

(10) March 23, 1990, report containing information on the repacking of waste from drums into six (6) gallon pails signed by Robert Fixter, Director of Compliance, S&W Waste, Inc., subsequently revised August 29, 1990;

(11) September 25, 1990, revised Part A permit application listing characteristic wastes D018 through D043 signed by William F. Moscatello, President, S&W Waste, Inc.;

(12) October 25, 1990, report containing information on the storage of ignitable waste at Area B signed by Robert Fixter, Director of Compliance, S&W Waste, Inc.;

(13) February 20, 1990, on-site rainwater collection and storage plan signed by Charu Deolankar, Engineer, S&W Waste, Inc., subsequently revised April 20, 1990;

(14) October 15, 1990, on-site rainwater collection and storage plan signed by Richard Mohlenhoff, Engineer, S&W Waste, Inc., subsequently revised October 30, 1990, June 26, 1991, December 1992 and October 20, 1993;

(15) January 4, 1991, revised Part A permit application signed by Robert Fixter, Vice President of Compliance, S&W Waste, Inc.;

(16) December 19, 1991, report containing information on the storage of waste in areas A and B signed by Richard Mohlenhoff, Engineer, S&W Waste, Inc., subsequently revised April 3, 1992, and June 3, 1992;

(17) September 3, 1992, report containing information on the consolidation of F, K, P and U hazardous waste types, stacking of containers and the blending of spent liquid organic solvents and organic contaminated waste materials for shipment to off-site marketers of hazardous waste fuel signed by Robert Fixter, Vice President of Compliance, S&W Waste, Inc.;

(18) December 23, 1992, Part B permit renewal application signed by Richard Mohlenhoff, Environmental Manager, S&W Waste, Inc. subsequently revised May 10, 1993, and May 14, 1993;

(19) October 14, 1997, Standard Operating Procedure for Asbestos Waste signed by Robert Fixter, Vice President of Compliance, S&W Waste, Inc.;

(20) December 2, 1997, Contingency Plan and Emergency Response Plan signed by Howard M. Syvarth, Safety Manager, S&W Waste, Inc.;

(21) January 1998 Waste Analysis Plan signed by Robert Fixter, Vice President of Compliance, S&W Waste, Inc.;

(22) Engineering designs signed and sealed by Marwan M. Sadat, P.E.:

Drawing Title	Issue or Revision	Drawing Number
As Built Secondary Containment Pad For The S&W Stabilization Pads and Excavation and Back Filling Plan	0	N/A
Existing and Amended S&W Facility Plan	4	N/A
Existing S&W Facility Plan	1	N/A
Proposed S&W Facility Plan	0	N/A

(23) Engineering designs signed and sealed by Michael Disko, P.E.:

Drawing Title	Issue or Revision	Drawing Number
Site Plan (Revised To Show Monitoring Well Locations)	0	1/4
Aerial Photograph of Proposed Waste Transfer Facility	0	2/4

Proposed Waste Transfer Facility	1	3/4
Details, Boring Logs & Storm Drain Profile	0	4/4
South Kearny Waste Transfer Station Concrete Transfer Area	0	1/1
Truck Wash Area 105 Jacobus Avenue	0	1/1
Waste Transfer Facility 105 Jacobus Avenue	0	1/1
Proposed Solidification Area Plan, Elevations & Details	0	1/1
Proposed S&W Waste Facility Location Map	0	1/1
Location Plan & Grading of Concrete Pad Around Loading Dock	1	1/5
Diked Concrete Pad and Fire Protection Area	1	2/5
Proposed Solidification Area Plan, Elevation & Details	0	3/5
Loading Dock Plan & Elevation	0	4/5
Loading Dock Elevation & Construction Details	0	5/5
Waste Transfer Facility 105 Jacobus Avenue Fire Equipment Plan	0	1/1

Diked Concrete Pad Modifications to Existing Construction	4	1/1

(24) Engineering designs signed and sealed by Victor J. Cotz, P.E.:

Drawing Title	Issue or Revision	Drawing Number
Tank Installation	2	84016-1

(25) Engineering designs signed and sealed by Aziz K. Mureebe, P.E.:

Drawing Number	Issue or Revision	Drawing Number
Facility Location Map	1	1/3
Plan and Profile Drum and Roll-Off Storage Areas	1	2/3
Details	0	3/3
Facility Location Plan	0	B-2
Enlarged Facility Location Plan	0	B-3

(26) Engineering designs signed and sealed by Armed Hamidi, P.E.:

Drawing Title	Issue or Revision	Drawing Number
Topographic Survey	0	2/14
General Site Plan Existing	0	3/14
Future Development Plan	4	4/14

Existing Maintenance Building Plan & Elevation	0	5/14
Proposed Storage/ Processing Building Plan, Elevations & Sections	1	6/14
Quality Control Dock Modification Plan & Details	3	7/14
Proposed Loading/ Unloading Tank Farm Plan & Elevations	6	8/14
Loading/Unloading Tank Farm Section & Details	9	9/14
Proposed Tanker Storage (conceptual)	2	10/14
Proposed Processing Building Conceptual Design	1	11/14
Proposed solidification Area #2 (Conceptual)	0	12/14
Existing & Proposed Loading/Unloading Areas	1	13/14
Traffic Plan	0	14/14

(27) Engineering Designs signed and sealed by Walter B.Grossman, P.E.: Modified 11/23/98, Modified 12/30/98, Modified 8/10/99

Drawing Title	Issue or Revision	Drawing Number
Liquid Waste Storage Tank	5	6850-9

(28) Engineering designs signed and sealed by William A. Truss, P.E.:

Drawing Title	Issue or Revision	Drawing Number
A.P.I - 105 Asbestos Building Fabric Frame Structure	0	N/A

Added 11/23/98

(29) July 23, 1998, letter contesting the final hazardous waste facility permit issued to S&W Waste, Inc. by the Department on June 30, 1998, signed by Robert Fixter, Vice President of Compliance, S&W Waste, Inc.;

Added 12/30/98

(30) December 9, 1998, notification in accordance with 40 C.F.R. 270.42(a)(1)(i) for a Class I permit modification, with prior approval from the Department, for transfer of the S&W Waste, Inc. hazardous waste facility permit submitted by Sean Monaghan, Esq., Shanley & Fisher, A Professional Corporation in behalf of S&W Waste, Inc.;

Added 8/10/99

(31) January 8, 1999, letter containing the June 15, 1998, hydrostatic test report for tanks ST- 1, ST-2, ST-3, ST-4 and ST-5, Daily Operating Facility Inspection Report, (Revised 1/99), Response Action For Leaks Or Spills And Disposition Of Leaking Or Unfit For Use Tank Systems, Upgrade Of Secondary Containment For Storage Tanks ST-4 And ST-5, Daily Non-Operating Facility Inspection Report And Tank Waste Check List submitted by Robert Fixter, General Manager, S&W Waste, Inc.;

Added 8/10/99

(32) March 5, 1999, letter containing the March 1999 Engineer's Report For The Design And Installation Of A New Secondary Containment Dike Wall In The Existing Above Ground Storage Tank Farm and a request for a Class I Permit modification to remove Tanks ST- 1, ST-2 and ST-3 from the facility's hazardous waste permit as hazardous waste storage/treatment tanks and retain them in the permit as non-hazardous waste (ID 72) storage/treatment tanks submitted by Robert Fixter, General Manager, S&W Waste, Inc.;

Added 8/10/99

(33) May 27, 1999, letter containing the May 10, 1999, letter from the Sherwin-Williams Company regarding the coating material for upgrading the secondary containment of hazardous waste storage/treatment tanks ST-4 and ST-5 submitted by Robert Fixter, General Manager, S&W Waste, Inc.;

Added 8/10/99

(34) Engineering design signed and sealed by Lahbib Chibani, Ph.D., P.E.:

Drawing Title	Issue or Revision	Drawing Number
Modifications To Existing Tank Farm	2	86038-040-03

Added 09/25/01

(35) January 18, 2001, subsequently revised June 22, 2001, notification in accordance with 40 C.F.R. 270.42(a)(1)(i) for a Class 1 permit modification for the construction of a roof over hazardous waste container storage pad B;

Added 09/25/01

(36) June 11, 2001, revised Contingency Emergency Response Plan submitted by Michael D. Logan, Vice President, Compliance Plus Services, Inc. in behalf of S&W Waste, Inc.;

Added 09/25/01

(37) August 9, 2001, notification of a change in the facility's name submitted by Robert Fixter, President, Clean Earth of North Jersey, Inc.;

Added 09/25/01

(38) Architectural design signed and sealed by Jon Fellgraff, RA:

Drawing Title	Issue or Revision	Drawing Number
Shed Roof Framing Plan	0	S-1

Added 05/22/02

(39) June 8, 2000, subsequently revised September 25, October 2, and November 27, 2000, March 5 and 22, May 15, August 20, September 20, December 14, 2001, application for a Class 2 permit modification for the construction of a containment building, amendment of the current authorization for the repackaging and processing of lab pack containers at Pad "C", authorization to store non-hazardous waste containers within the Hockmeyer area, construction of a non-hazardous waste container storage pad and the addition of waste codes K141, K147 and K148 for storage in containers.

Added 05/22/02

(40) Engineering designs signed and sealed by Leonard Bush, P.E.:

Drawing Title	Issue or Revision	Drawing Number
Site Plan	7	SP1
Plans and Elevations	12	A1
Roof Plan and Sections	10	A2
Screening Operation Plan	7	A3
Foundation Plan Sections and Details	8	S1

Sections and Details 3 S2

In case of conflict, the applicable hazardous waste management regulations contained in 40 C.F.R. shall have precedence over the conditions of this permit, and the conditions of this permit shall have precedence over the Part B permit application documents listed above.

(b) One complete set of the permit application documents listed in Condition 12(a) above, this Hazardous Waste Facility Permit, and all records, reports and plans as may be required pursuant to this permit shall be kept on-site and shall be available for inspection by authorized representatives of the Department upon presentation of credentials. The records, reports and plans required pursuant to this permit include the following:

(1) The description of the personnel training program and the records required by Condition 2 of Section II of this permit and 40 C.F.R. 264.16.

Modified 09/25/01, Modified 05/22/02

(2) The Contingency Plan required by Condition 4 of Section II of this permit and 40 C.F.R.264.50, and specifically the plan dated December 2, 1997, subsequently revised September 25, 2000, November 27, 2000, June 11, 2001, and October 1, 2001.

(3) The written Operating Record required by Condition 7 of Section II of this permit and 40 C.F.R. § 264.73.

(4) Copies of the financial documents and closure cost estimate required by Condition 9 of Section II of this permit and 40 C.F.R. 264.140.

Modified 05/22/02

(5) The Waste Analysis Plan outlined in Condition 3 of Section III of this permit and as required by 40 C.F.R. § 264.13, and specifically the plan dated January 1998 and any subsequent revisions approved by the Department.

(6) The Inspection Schedule required by 40 C.F.R. § 264.15(b) and the records required by Condition 4 of Section III of this permit.

Modified 05/22/02

(7) The Closure Plan required by Condition 5 of Section III of this permit and 40 C.F.R. § 264.112 and specifically the plan dated December 1992, subsequently revised May 1993, and September 2000.

End of Section II

Section III

Specific Facility Conditions Applicable to Clean Earth of North Jersey, Inc.

1. Authorized Activities

(a) Storage, Treatment and Transfer in Containers

(1) Existing Container Storage

The permittee is authorized to store waste authorized by Condition 2 of Section III of this permit in containers up to the maximum storage capacity of each container storage area. The permittee shall operate and maintain the container storage areas in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

Location	Maximum Storage Capacity (Gallons)	Maximum Container Capacity (Gallons) and Type	Waste Type
Loading/Unloading dock and the concrete pad surrounding it and one (1) box trailer located on the south-west side of Loading/ Unloading Dock	80,000	Containers of capacity up to eight thousand (8,000 gallons)	Waste authorized by Condition 2 of Section III of this permit

The existing box trailer for the storage of lab packs shall be replaced by proposed hazardous waste storage area "I" authorized by Condition 1(a)2 of this Section, after the completion of the construction and certification requirements of Condition 6(e)l of this Section and Departmental inspection of this area in accordance with Condition 6(e)2 of this Section.

Area A	80,000	Containers of capacity up to forty (40) cubic yards	Wastes authorized by Condition 2 of Section III of this permit that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. 261.21 and 261.23 et seq.

Area B	35,000	Roll-off containers of capacity up to forty (40) cubic yards and containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit
Area C	27,000	Tanker containers of capacity up to seven thousand (7,000) gallons, roll-off containers of capacity up to forty (40) cubic yards and containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit

Existing hazardous waste container storage area "C" shall be replaced by the proposed processing building authorized by Condition 1(a)14 of this Section, after the completion of the construction and certification requirements of Condition 6(e)1 of this Section and Departmental inspection of this area in accordance with Condition 6(e)2 of this Section.

Area D	6,875	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit that exhibit the characteristic of corrosivity as defined at 40 C.F.R. § 261.22 and wastes that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§ 261.21 and 261.23 et seq.
Area E	6,875	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit that exhibit the characteristic of corrosivity defined at 40 C.F.R.261.22 and wastes

			that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§ 261.21 and 261.23 et seq.
Area F	20,625	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§ 261.21 and 261.23 et seq.

After the completion of the construction and certification requirements for the proposed processing/storage building in accordance with Condition 6(e)l of this Section and Departmental inspection of this area in accordance with Condition 6(e)2 of this Section, Area "F" shall not be used for the storage of hazardous waste.

Area G	6,875	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§ 261.21 and 261.23 et seq.
Area H	13,200	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§

			261.21 and 261.23 et seq.
East Pad of the QA/QC Dock	20,000	Tanker containers of capacity of up to seven thousand (7, 000) gallons, roll-off containers of capacity up to forty (40) cubic yards and containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit
QA/QC Dock	11,550	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit
Tank Farm Loading/ Unloading Pad	30,879	Tanker containers of capacity up to seven thousand (7,000) gallons	Waste authorized by Condition 2 of Section III of this permit

The permittee may utilize any area available within areas "D" through "H" for the storage of containerized compatible waste authorized by Condition 2 of Section III of this permit that does not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§ 261.21 and 261.23 et seq., in the event that the space of the specific area within areas "D" through "H" planned for these wastes is totally utilized.

(2) Proposed Processing/Storage Building

(i) The permittee is authorized to construct four (4) proposed hazardous waste container storage area(s) designated as Area(s) "I", "J", "K" or "L" in accordance with Condition 6 of Section III of this permit. Proposed hazardous waste container storage Area(s) "I", "J", "K" or "L" shall be designed and constructed as depicted on engineering drawing numbered 6/14 entitled "Proposed Storage/Processing Building, Plan, Elevations & Section" and located as depicted on engineering drawing numbered 4/14 entitled "Future Development Plan" referenced at Condition 12(a) of Section II of this permit;

(ii) This authorization is subject to the permittee submitting a letter to the Department in accordance with Condition 6(e)l of Section III of this permit and Departmental inspection of the proposed container storage areas in accordance with Condition 6(e)2 of Section III of this permit;

(iii) After completion of the construction and certification requirements for proposed container storage Area(s) '"I", "J", "K" or "L" in accordance with Condition 6(e)l of Section III of this permit and Departmental inspection of these area (s) in accordance with Condition 6(e)2 of Section III of this permit, container storage Area "I" shall replace the existing lab pack box trailer authorized by Condition 1(a)1 of Section III of this permit.

(iv) If the Department determines that proposed hazardous waste container storage Area(s) "I", "J", "K" or "L" have been designed and constructed in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit, and Condition 6 of Section III of this permit, the permittee shall be authorized to store containerized hazardous waste in these area(s). The permittee shall operate and maintain hazardous waste container storage area(s) "I", "J", "K" or "L" in accordance with the Part B permit application documents referenced at Condition 12(a) of Section II of this permit and as follows:

Location	Maximum Storage Capacity (Gallons)	Container Capacity (Gallons) and Type	Waste Types
Area I	4,400	Containers of capacity up to one hundred and ten (110) gallons	Waste authorized by Condition 2 of Section III of this permit
Area J	4,400	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III this permit
Area K	17,325	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§ 261.21 and 261.23 et seq.

Area L	7,700	Containers of capacity up to three hundred (300) gallons	Wastes authorized by Condition 2 of Section III of this permit that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§ 261.21 and 261.23 et seq.

(v) If the Department determines that the proposed processing building has been designed and constructed in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and Condition 6 of Section III of this permit, the permittee shall be authorized to conduct the following treatments of waste within the concrete containment systems of the proposed processing/storage building:

(A) Repackaging of containerized waste in accordance with Condition 1(a)9 of Section III of this permit; and

(B) Shredding of waste in accordance with Condition 1(c)3 of Section III of this permit.

(vi) The permittee will be authorized, subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit, to utilize the following equipment within the proposed processing storage/building:

One (1) shredder
Three (3) repacking decks

The permittee may add or delete equipment from the above list provided the permittee has given the Department, at the address listed at Condition 11(a) of Section II of this permit, written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

(3) Proposed Tanker Storage

(i) The permittee is authorized to construct the proposed tanker storage area in accordance with Condition 6 of Section III of this permit.

(ii) The proposed tanker storage area shall be designed and constructed as depicted on engineering drawing numbered 10/14 entitled “Proposed

Tanker Storage (Conceptual)" and located as depicted on engineering drawing numbered 4/14 entitled "Future Development Plan" referenced at Condition 12(a) of Section II of this permit;

(iii) This authorization is subject to the permittee submitting a letter to the Department in accordance with Condition 6(e)1 of Section III of this permit and Departmental inspection of the proposed tanker storage area in accordance with Condition 6(e)2 of Section III of this permit; and

(iv) If the Department determines that the proposed tanker storage area has been designed and constructed in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and Condition 6 of Section III of this permit, the permittee shall be authorized to store tankers and leak proof roll-off containers of hazardous waste in this area. The permittee shall operate and maintain the tanker storage area in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

Location	Maximum Storage Capacity (Gallons)	Container Capacity (Gallons)	Waste Types
Tanker Storage Area	27,000	Tankers and Leak Proof Roll-off Containers of capacities up to forty (40) cubic yards and containers of capacity up to three hundred (300) gallons	Wastes Authorized by Condition 2 of Section III of this permit

(4) Existing Storage of Non-Hazardous Waste in Containers

Modified 05/22/02

The permittee is authorized to store non-hazardous waste authorized by Condition 2 of Section III of this permit in containers up to a maximum storage capacity of one hundred thirty one thousand and forty (131,040) gallons. The permittee shall operate and maintain the container storage areas in accordance with the non-hazardous waste container management requirements cited at Condition 1(a)6 of Section III of this permit and the Part B permit application documents referenced at Condition 12(a) of Section II of this permit and as follows:

Location	Maximum Storage Capacity (Gallons)	Container Capacity	Waste Types
Gravel surface located along the northern perimeter of the facility by the QA/QC dock	66,000	Twenty (20) roll-off containers of capacities up to forty (40) cubic yards	Non-Hazardous Waste authorized by Condition 2 of Section III of this permit

Modified 05/22/02

The existing non-hazardous waste container storage area for the storage of twenty (20) roll-off containers located on the gravel surface along the northern perimeter of the facility by the QA/QC dock shall be replaced by the proposed non-hazardous waste container storage pad authorized by Condition 1(a)(5) of this Section after completion of the construction and certification requirements of Condition 6(e)(1) of this Section and Departmental inspection of this area in accordance with Condition 6(e)(2) of this Section.

Concrete Area Surrounding Loading/Unloading Dock	40,400	Ten (10) roll-off containers of capacities up to twenty (20) cubic yards	Non-Hazardous Waste authorized by Condition 2 of of Section III of this permit

Added 00/00/02

Hockmeyer Area	24,640	Containers of capacities up to one-hundred nineteen (119) gallons	Non-Hazardous Waste authorized by Condition 2 of of Section III of this permit

Modified 05/22/02

(5) Proposed Storage of Non-Hazardous Waste in Containers

(i) The permittee is authorized to construct the proposed non-hazardous waste container storage pad in accordance with Condition 6 of Section III of this permit. The proposed non-hazardous waste container storage pad shall be located, designed and constructed as depicted on engineering drawing numbered “SP1” entitled “New Containment Building” referenced at Condition 12 (a) of Section II of this permit.

(ii) After completion of the construction and certification requirements for the proposed non-hazardous waste container storage pad in accordance with Condition 6(e)1of Section III of this permit and inspection of this area in accordance with Condition 6(e)2 of Section III of this permit, the proposed non-hazardous waste container storage pad shall replace the existing non-hazardous waste container storage area located on the gravel surface along the northern perimeter of the facility by the QA/QC dock authorized by Condtion 1(a)(4) of this Section.

(iii) If the Department determines that the proposed non-hazardous waste container storage pad has been designed and constructed in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section III of this permit, and Condition 6 of Section III of this permit, the permittee shall be authorized to store containerized non-hazardous waste in this area. The permittee shall operate and maintain the non-hazardous waste container storage pad in accordance with the Part B permit application documents referenced at Condition 12(a) of Section II of this permit and as follows:

Location	Maximum Storage Capacity (Gallons)	Maximum Container Capacity	Waste Types
Non-Hazardous Waste Container Storage Pad	66,000	Containers of Capacity up to Forty (40) Cubic Yards	Non-Hazardous Waste Authorized by Condition 2 of Section III of this Permit

(6) Non-Hazardous Waste Container Storage Requirements

(i) The permittee shall conduct the storage of containerized non-hazardous waste in accordance with all applicable requirements of Conditions 1(a)4 and 5 of Section III of this permit;

(ii) The permittee shall label or mark each container with the words "Non-hazardous Waste";

(iii) The permittee shall every day the facility is in operation record in an inspection log or summary the following information for containerized non-hazardous waste:

Number and volume of containers in each container storage area

The permittee shall place the inspection log or summary record of the container number and volume into the operating record of the facility in accordance with 40 C.F.R. § 264.73 et seq.; and

(iv) The storage of containerized non-hazardous waste authorized by Conditions 1(a)1 through 5 of Section III of this permit shall not count toward the hazardous waste container storage capacity authorized by this Section of the permit.

(7) Container Management Requirements

(i) A secondary containment system, constructed of Portland concrete cement shall be maintained free of cracks or gaps and of adequate capacity and be sufficiently impervious to contain leaks, spills and accumulated rainfall until the collected material is detected and removed. The base shall have adequate structural integrity to withstand the maximum stress applied to the base due to activities or structures placed in the containment area. The secondary containment system shall be maintained and operated to efficiently drain and remove liquids resulting from leaks, spills and precipitation.

(ii) Spilled or leaked waste or accumulated precipitation shall be removed from the secondary containment system in a timely manner, to prevent blockage or overflow of the collection system.

(iii) If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the permittee shall transfer the hazardous waste from this container to a container that is in good condition or manage the waste in some other way that complies with the requirements of 40 C.F.R. 264.171.

(iv) The containers shall be managed in compliance with all provisions of 40 C.F.R. § 264.173.

(v) The permittee shall not place a waste which is incompatible with waste already in a container, or incompatible with a material of construction of a container, in that container. The permittee shall not place a hazardous waste in an unwashed container which previously held an incompatible waste or material. The permittee shall evaluate each waste, prior to its addition to any container, to ensure compliance with 40 C.F.R. § 264.17(b).

(vi) The permittee shall comply with the special requirements for ignitable or reactive waste as provided at 40 C.F.R. §§ 264.17(a) and 264.176 for all containers holding ignitable or reactive wastes.

(vii) The permittee shall utilize the Quality Assurance/Quality Control (QA/QC) Dock or any approved storage, transfer, loading/unloading, or staging area authorized by this permit for receiving all incoming waste shipments.

(viii) The permittee shall maintain a minimum aisle space of eighteen (18) inches between double rows of containers except within the lab pack box trailer authorized by Condition 1(a)l of Section III of this permit where the permittee shall maintain a minimum aisle space of eighteen (18) inches between single rows of lab pack containers. Containers smaller than one hundred and ten (110) gallons shall be stacked no higher than the equivalent of two (2) one hundred and ten (110) gallon containers. One hundred and ten (110) gallon containers shall be stacked no greater than two (2) high. Containers greater than one hundred ten (110) gallons shall be stacked no greater than one (1) high.

(ix) The permittee shall record in an inspection log or summary the internal tracking of containers of hazardous waste that have been rejected by the ultimate treatment, storage or disposal facility and subsequently returned to the permittee. The permittee shall place the inspection log or summary into the operating record of the facility in accordance with 40 C.F.R. § 264.73.

(x) The permittee shall render empty, in accordance with 40 C.F.R. § 261.7, any container that has held hazardous waste before on-site crushing of such container in the permittee's drum crusher;

(xi) The permittee shall every day the facility is in operation record in an inspection log or summary the following information for containerized hazardous waste received by the facility:

Number and volume of containers for each storage area

(xii) The permittee shall not exceed a hazardous waste storage volume of two hundred forty-nine thousand and five hundred (249,500) gallons or its equivalent volume at any time.

(8) Existing and Proposed Container Decanting

The permittee is authorized to operate a container decanting process for liquid wastes authorized by Condition 2 of Section III of this permit. The permittee shall operate and maintain the container decanting process in accordance with the Part B permit application documents and the engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(i) Before decanting liquid waste, the permittee shall test a representative sample of the waste to be decanted in accordance with the Waste Analysis and Quality Assurance requirements of Condition 3(g)2 of Section III of this permit;

(ii) The permittee shall decant liquid waste from containers by aspiring, pouring, pumping or siphoning;

(iii) The permittee shall perform the decanting of liquid waste from containers and subsequent transfer of such liquid waste within the storage, transfer and treatment areas authorized by this permit; and

(iv) The permittee will be authorized to decant liquid waste from containers subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section II of this permit within the storage, transfer and treatment areas of any proposed waste management area authorized by this permit.

(9) Existing and Proposed Container Repackaging

(i) The permittee is authorized to operate a process for the repackaging of containerized waste solids and semi-solids authorized by Conditions 2(d) and (e) of Section III of this permit. The permittee shall operate and maintain the repacking process for containerized solids and semi-solids in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(A) The permittee shall repackage containerized waste within the concrete containment system surrounding the loading/unloading dock as depicted on the engineering designs referenced at Condition 12 (a) of Section II of this permit;

(B) The permittee is authorized to utilize up to three (3) repackaging decks for the repackaging of containerized waste;

(C) The permittee shall test a representative sample of the waste to be repackaged in accordance with the Waste Analysis and Quality Assurance Requirements of Condition 3(g)3 of Section III of this permit; and

(D) The permittee shall empty the waste from one (1) gallon containers, five (5) gallon containers, thirty (30) gallon containers, fifty five (55) gallon containers or eighty five (85) gallon overpack containers onto the carbon steel tray of the packing deck containment tray assembly (8’ 0” L x 4’ 0” W x 2’11" H). The containment tray shall hold six (6) gallon containers or ten (10) gallon bags under the three (3) openings of the tray. Under the three (3) openings of the tray, the permittee shall keep containers or bags whose openings are larger in diameter than the holes in the tray. The waste shall be manually pulled towards the three (3) openings in tray to drop into the six (6) gallon containers or ten (10) gallon bags. Ten (10) gallon bags may also be clipped to the side of the repacking containment tray for filling. As soon as a six (6) gallon container or ten (10) gallon

bag is filled, sawdust or an equivalent material shall be added to the top of the container with a hand scoop to absorb any free liquids, if necessary. The container shall then be removed, sealed, labeled, palletized, and a new container or bag shall be placed under the opening in the tray. Filled six (6) gallon containers shall be stacked three (3) high on a pallet with three (3) rows of four (4) containers each. When a pallet is loaded, it shall be banded or shrink wrapped and placed in an authorized container storage area, pending shipment to an off-site authorized facility. Filled ten (10) gallon bags shall be placed into a 40" x 40" x 48" woven polypropylene outside container of three hundred (300) gallons capacity. The ten (10) gallon bags shall be stacked in five (5) rows, six (6) bags per row (a total of thirty (30) bags) in the three hundred (300) gallon outside container, which shall be placed on a pallet and placed in an authorized container storage area, pending shipment to an off-site authorized facility.

(ii) The permittee is authorized to operate a repackaging process for lab pack containers containing individual containers of waste authorized by Conditions 2(d) and (e) of Section III of this permit. The permittee shall operate and maintain the lab pack repacking process in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

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(A) The repacking of lab pack containers shall be performed within one (1) box trailer located on the southwest side of the loading/unloading dock, on the deck of the loading/unloading dock and in hazardous waste container storage area "C" authorized by this permit;

(B) The permittee shall only accept sealed lab pack containers of up to one hundred and ten (110) gallons in capacity;

(C) The permittee shall only open up to twenty (20) lab pack containers for repackaging at any one time;

(D) From the information on the packing list a Quality Assurance Technician for the permittee shall recommend the proposed disposition of each individual container within the lab pack container by writing on the packing list either the letter "P" for the on-site processing or "T" for transfer to off-site authorized facilities;

(E) The packing list with the recommended disposition for each individual container contained within the lab pack container shall be filed with the Quality Assurance Supervisor for approval;

(F) The permittee shall seal to the bottom of the lid of the lab pack container a copy of the packing list with the recommenced disposition(s);

(G) Upon approval by the Quality Assurance Supervisor the individual containers within the lab pack containers shall be removed and placed into other containers designated for the specific approved disposition or left in the original container;

(H) For repacked lab pack container with a "T" for transfer, the containers shall be properly labeled and shall contain the new packing list. For every new addition to the container the packing list shall be amended. The packing list shall be placed on the top of the container and a duplicate copy shall be filed with the Quality Assurance Supervisor with the additions to that container listed. The permittee shall segregate individual bottles, jars, jugs, etc. in repacked lab pack containers in accordance with Department of Transportation (DOT) Regulations. When the container is filled with bottles, jars, jugs, etc. of compatible materials in accordance with the DOT regulations, the container shall be transferred to any container storage area or transfer area authorized by this permit pending shipment to an off-site authorized facility;

(I) The permittee shall bulk compatible waste to be processed in containers. The processed container shall be assigned a container number and the contents of the container shall be recorded on a consolidation sheet which shall be on file with the Quality Assurance supervisor; and

(J) The permittee shall test a representative sample of the contents of the waste to be bulked in accordance with the compatibility test identified in the July 9, 1987, report referenced at Condition 12(a)5 of Section II of this permit. The emptied bottles, jars, jugs, etc. shall be crushed and accumulated in an authorized container for hazardous waste solids, which shall be manifested off-site to an authorized facility. The soiled packing media shall also be accumulated in an authorized container for hazardous waste solids, which shall be manifested off-site to an authorized facility. Unsoiled packing media may be returned to the lab pack trailer for reuse.

(iii) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to operate a process for the repackaging of containerized waste authorized by Conditions 2(d) and (e) of Section III of this permit within the proposed processing building and a process for

the repackaging of waste authorized by Conditions 2(d) and (e) of Section III of this permit at the proposed processing/storage building. The proposed repackaging processes shall be operated and maintained in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit; and

(iv) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to utilize up to three (3) repacking decks at the proposed processing building and up to three (3) repacking decks at the proposed processing/storage building for the repackaging of containerized waste.

(10) Existing and Proposed Consolidation of Waste

(i) The permittee is authorized to operate a treatment process for the consolidation of the compatible contents of containers containing waste authorized by Conditions 2(c) and (d) of Section III of this permit as follows:

(A) The permittee shall consolidate waste within the concrete containment systems authorized by this permit;

(B) Before consolidating any wastes, the permittee shall test a representative sample of the waste to be consolidated, in accordance with the Waste Analysis and Quality Assurance requirements at Condition 3(g)4 of Section III of this permit; and

(C) The permittee shall consolidate waste from containers in roll-offs for transfer to the solidification/stabilization treatment process authorized by Condition 1(c)1 of Section III of this permit or for bulk shipment to off-site authorized facilities or placement directly into the solidification/stabilization treatment process authorized by Condition 1(c)l of Section III of this permit.

(ii) The permittee is authorized to consolidate in roll-offs waste authorized by Conditions 2(c) and (d) of Section III of this permit which do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. §§ 261.21 and 261.23 as determined by the permittee through quality control testing as specified by the Waste Analysis and Quality Assurance requirements of Conditions 3(d)3iii and 3(d)3xii of Section III of this permit;

(iii) The permittee is authorized to consolidate containers and/or bags of friable and non-friable asbestos waste authorized by Condition 2, Section III of this permit in containers of up to one hundred (100) cubic yards;

(iv) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with the Condition 6(e)2 of Section III of this permit to consolidate containers of waste or solidify/stabilize such waste in accordance with Conditions 1(a)11 and 1(a)12 of Section III of this permit within the proposed processing building and proposed processing/storage building authorized by Condition 1(c)2 of Section III of this permit; and

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(v) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to consolidate waste from containers in roll-offs for transfer to the proposed containment building authorized by Condition 1(c)2 of Section III of this permit or for bulk shipment to off-site authorized facilities or placement directly into the proposed containment building authorized by Condition 1(c)2 of Section III of this permit.

(11) Existing and Proposed Solidification/Stabilization in Containers with Cement Kiln Dust or Equivalent Material

(i) The permittee is authorized to operate a treatment process for the solidification/stabilization of waste authorized by Condition 2(c)2 of Section III of this permit in containers utilizing cement kiln dust or equivalent materials. The permittee shall operate and maintain the treatment process in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(A) The treatment process shall be performed within the concrete containment pad surrounding the loading/unloading dock as depicted on the engineering designs referenced at Condition 12(a) of Section II of this permit;

(B) Before treating any waste the permittee shall test a representative sample of the waste to be treated in accordance with the Waste Analysis and Quality Assurance Requirements of Condition 3(g)6 of Section III of this permit;

(C) The treatment process shall be performed in containers of capacity up to one hundred and ten (110) gallons and roll-off containers or dump trailers of capacity up to forty (40) cubic yards;

(D) Partially filled containers shall be consolidated until a full container is obtained, if necessary;

(E) A solidification/stabilization agent such as cement kiln dust or equivalent material shall be added to the top of the container with a hand scoop or other similar equipment to absorb any free liquids, if necessary; and

(F) Filled containers shall be resealed and labeled pending shipment to off-site authorized facilities.

(ii) The permittee will be authorized to operate a treatment process for the solidification/stabilization of waste in containers with cement kiln dust or equivalent materials subject to Department approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit within the proposed processing building and proposed processing/storage building authorized by this permit.

(12) Existing and Proposed Solidification/Stabilization in Containers with Sawdust or Equivalent Material

(i) The permittee is authorized to operate a treatment process for the solidification/stabilization of waste authorized by Condition 2(c)2 of Section III of this permit in containers utilizing sawdust or equivalent materials. The permittee shall operate and maintain the treatment process in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(A) The treatment process shall be performed within the concrete containment system surrounding the loading/unloading dock as depicted on the engineering designs referenced at Condition 12(a) of Section II of this permit;

(B) Before treating any waste, the permittee shall test a representative sample of the waste to be treated in accordance with Waste Analysis and Quality Assurance Requirements of Condition 3(g)7 of Section III of this permit;

(C) The treatment process shall be performed in containers of capacity up to one hundred and ten (110) gallons;

(D) The waste within the container shall be transferred from any non-incinerable container to an incinerable container that meets the specifications of the user of such waste;

(E) A solidification/stabilization agent such as sawdust or equivalent material shall be added to the top of the container with a hand scoop or other similar equipment to absorb any free liquids, if necessary; and

(F) Filled containers shall be sealed, and labeled pending shipment to off-site authorized facilities.

(ii) The permittee will be authorized to operate a treatment process for the solidification/stabilization of waste in containers with sawdust or equivalent materials subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit within the proposed processing building and proposed processing/ storage building authorized by this permit.

(13) Blending and Bulking of Waste in Containers

(i) The permittee is authorized to operate a treatment process for the blending and bulking of organic solvent waste or aqueous waste authorized by Conditions 2(a) and (b) of Section III of this permit. The permittee shall operate and maintain the treatment process in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(A) Before treating any wastes, the permittee shall test a representative sample of the waste to be treated in accordance with the Waste Analysis and Quality Assurance Requirements of Condition 3(g)2 of Section III of this permit; and

(B) The permittee shall decant liquid waste from containers utilized in the treatment process in accordance with Condition 1(a)8 of Section III of this permit, if necessary.

(ii) Waste derived fuels produced by the permittee through the treatment process shall be managed in accordance with the Conditions 1(a) and (b) of Section III of this permit pending shipment to off-site authorized facilities.

(iii) Waste solvents produced by the permittee through the treatment process shall be managed in accordance with Conditions 1(a) and (b) of Section III of this permit pending shipment to off-site authorized facilities;

(iv) Aqueous wastes produced by the permittee through the treatment process shall be managed in accordance with Conditions 1(a) and (b) of Section III of this permit pending shipment to off-site authorized facilities; and

(v) The permittee is authorized to utilize the following equipment in the blending and bulking treatment process:

Two (2) five thousand (5, 000) gallon mobile tankers
One (1) four thousand (4,000) gallon mobile tanker
Set of filter screens

Liquid transfer pumps with explosion proof motors
Assorted transfer hoses
Two (2) container homogenizing mixers
Ground lines
One (1) 12'x 4'x 4' screen filter box
One (1) 5.83' x 4' x 3' screen filter box
One (1) in-line dispersing grinder with explosion proof motor

The permittee may add or delete equipment from the above list provided the permittee has given the Department, at the address listed at Condition 11(a) of Section II of this permit, written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

(14) Proposed Processing Building

(i) The permittee is authorized to construct the proposed processing building in accordance with Condition 6 of Section III of this permit. The permittee shall operate and maintain the proposed processing building in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(A) The proposed processing building shall be designed and constructed as depicted on engineering drawing numbered 11/14 entitled "Proposed Processing Building (Conceptual)" and located as depicted on engineering drawing numbered 4/14 entitled "Future Development Plan" referenced at Condition 12(a) of Section II of this permit;

(B) This authorization is subject to the permittee submitting a letter to the Department in accordance with Condition 6(e)1 of Section III of this permit and Departmental inspection of the newly constructed processing building in accordance with Condition 6(e)2 of Section III of this permit;

(C) After completion of the construction and certification requirements for the proposed processing building in accordance with Condition 6(e)l of Section III of this permit and Departmental inspection of this area in accordance with Condition 6(e)2 of Section III of this permit, the proposed processing building shall replace existing Area "C" authorized by Condition 1(a)1 of Section III of this permit; and

(D) If the Department determines that the proposed processing building has been designed and constructed in accordance with Condition 6 of Section III of this permit and in accordance with

the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit, the permittee shall be authorized to conduct the following waste treatment processes within the concrete containment systems of the proposed processing building:

(1) Homogenization of waste in two (2) container homogenizing mixers in accordance with Condition 1(a)15 of Section III of this permit;

(2) Repackaging of containerized waste in accordance with Condition 1(a)9 of Section III of this permit; and

(3) Shredding of waste in accordance with Condition 1(c)3 of Section III of this permit.

(ii) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to utilize the following equipment within the proposed processing building:

Two (2) container homogenizing mixers
Three (3) repacking decks
One (1) shredder
One (1) container fume hood

The permittee may add or delete equipment from the above list provided the permittee has given the Department, at the address listed at Condition 11(a) of Section II of this permit, written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

(15) Homogenization of Waste in Containers

(i) The permittee is authorized to operate a treatment process for the homogenization of waste authorized by Conditions 2(a), (b), (c) and (d) of Section III of this permit. The treatment process shall be conducted within the concrete containment system of the Hockmeyer area as depicted on the engineering designs referenced at Condition 12(a) of Section II of this permit. The treatment process shall be operated and maintained in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(A) The permittee shall empty the contents of the container containing waste to be homogenized into another container, if necessary;

(B) The permittee before treating any waste shall test a representative sample of the waste to be treated in accordance with the Waste Analysis and Quality Assurance Requirements of Condition 3(g)10 of Section III of this permit;

(C) Liquid waste shall be decanted into the container to be homogenized in accordance with Condition 1(a)8 of Section III of this permit, if necessary; and

(D) The contents of the container shall then be homogenized by high shear mechanical agitation.

(ii) The permittee is authorized to utilize the following equipment for the homogenization of waste:

Two (2) container homogenizing mixers

The permittee may add or delete equipment from the above list provided the permittee has given the Department, at the address listed at Condition 11(a) of Section II of this permit, written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

(iii) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to operate a process for the homogenization of waste authorized by Conditions 2(a), (b), (c) and (d) of Section III of this permit in containers within the concrete containment system of the proposed processing building authorized by this permit. The proposed treatment process shall be operated and maintained in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit; and

(iv) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to utilize the following equipment for the homogenization of waste in containers at the proposed processing building:

Two (2) container homogenizing mixers

The permittee may add or delete equipment from the above list provided the permittee has given the Department, at the address listed at Condition 11(a) of Section II of this permit, written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

(16) Container Transfer

(i) The permittee is authorized to operate as a transfer station for containerized wastes streams authorized by Condition 2 of Section III of this permit. Containers accepted for transfer shall not be opened by the permittee except for inspection, sampling or analysis in accordance with the Waste Analysis and Quality Assurance requirements of Condition 3 of Section III of this permit, repackaging of a damaged container or repackaging authorized by Condition 1(a)9 of Section III of this permit.

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(ii) The permittee is authorized to operate as a transfer station for containers and bagged Regulated Asbestos Containing Material (RACM) and non-friable asbestos containing material as defined at N.J.A.C. 7:26-1.4 authorized by Section III, Condition 2(f) of this permit. RACM shall be transferred in the asbestos enclosure located at the eastern end of the former maintenance garage. Containers or bagged RACM shall not be opened unless a damaged container or bag needs to be repackaged.

(17) Existing and Proposed Vehicle Staging and Loading/Unloading Areas

(i) The Permittee is authorized to stage vehicles containing waste for parking or for the loading/unloading of waste. The permittee shall place all incoming waste shipments into a treatment or storage area authorized by this permit within (24) hours of the time the waste shipment originally entered the facility property or at the same time the waste shipment originally entered the facility property on the next operating day of the facility. The permittee shall remove from the facility property or place into a storage or treatment area authorized by this permit all outgoing waste shipments within twenty four (24) hours of the time that the waste shipment was originally removed from a storage or treatment area authorized by this permit and placed into a vehicle staging or loading/unloading area authorized by this permit or at the same time that the waste shipment was originally removed from a storage or treatment area authorized by this permit and placed into a vehicle staging or loading/unloading area authorized by this permit on the next operating day of the facility. Waste staged for the purposes of parking or loading/unloading shall not count toward the permitted waste container storage capacities authorized by Conditions 1(a)1, 2 and 3 of Section III of this permit until the time limits specified above have been exceeded. The permittee shall operate and maintain the vehicle staging and loading/unloading areas in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit. Vehicles containing wastes shall be staged at the following locations as depicted on the engineering design drawing numbered 13/14 entitled “Existing & Proposed Loading/Unloading Area” referenced at Condition 12(a) of Section II of this permit:

Asbestos handling area in the proposed processing/storage building
Concrete pad adjacent to the tank farm
Bermed concrete truck wash pad
Bermed concrete pad adjacent to Solidification/Stabilization Area #1
Solidification/Stabilization Area #1
West asphalt pad adjacent to the QA/QC dock

(ii) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to stage vehicles for parking or for the loading/unloading of waste. The permittee shall place all incoming waste shipments into a treatment or storage area authorized by this permit within twenty four (24) hours of the time the waste shipment originally entered the facility property or at the same time the waste shipment originally entered the facility property on the next operating day of the facility. The permittee shall remove from the facility property or place into a storage or treatment area authorized by this permit all outgoing waste shipments within twenty four (24) hours of the time that the waste shipment was originally removed from a storage or treatment area authorized by this permit and placed into a vehicle staging or loading/unloading area authorized by this permit or at the same time that the waste shipment was originally removed from a storage or treatment area authorized by this permit and placed into a vehicle staging or loading/unloading area authorized by this permit on the next operating day of the facility. Waste staged for the purposes of parking or loading/unloading shall not count toward the permitted waste container storage capacities authorized by Conditions 1(a)1, 2 and 3 of Section III of this permit until the time limits specified above have been exceeded. The permittee shall operate and maintain the proposed loading/unloading and vehicle staging areas in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit. Vehicles containing waste shall be staged at the following locations as depicted on the engineering design drawing numbered 13/14 entitled "Existing & Proposed Loading/Unloading Areas" referenced at Condition 12(a) of Section II of this permit:

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Proposed west loading/unloading area adjacent to the QA/QC dock
Proposed storage/processing building

(18) Existing and Proposed Container Staging and Loading/Unloading Areas

(i) The permittee is authorized to stage incoming compatible, containerized waste. The permittee shall place all incoming waste shipments into a treatment or storage area authorized by this permit within twenty four (24) hours of the time the waste shipment originally entered the facility property or at the same time the waste shipment originally entered the

facility property on the next operating day of the facility. The permittee shall remove from the facility property or place into a storage or treatment area authorized by this permit all outgoing waste shipments within twenty four (24) hours of the time that the waste shipment was originally removed from a storage or treatment area authorized by this permit and placed into a container staging or loading/unloading area authorized by this permit or at the same time that the waste shipment was originally removed from a storage or treatment area authorized by this permit and placed into a container staging or loading/unloading area authorized by this permit on the next operating day of the facility. Staged containerized waste shall not count toward the permitted waste container storage capacities authorized by Conditions 1(a)1, 2 and 3 of Section III of this permit until the time limits specified above have been exceeded. The permittee shall operate and maintain the proposed containerized waste staging areas in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit. Containerized waste shall be staged at the following locations as depicted on the engineering design drawing numbered 13/14 entitled "Existing & Proposed Loading/Unloading Areas" referenced at Condition 12(a) of Section II of this permit:

Concrete pad adjacent to the tank farm
Loading/unloading dock
Solidification/Stabilization Area #1
Bermed concrete pad adjacent to the solidification/stabilization area #1
QA/QC dock
Hockmeyer area

(ii) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to stage containerized waste. The permittee shall place all incoming waste shipments into a treatment or storage area authorized by this permit within twenty four (24) hours of the time the waste shipment originally entered the facility property or at the same time the waste shipment originally entered the facility property on the next operating day of the facility. The permittee shall remove from the facility property or place into a storage or treatment area authorized by this permit all outgoing waste shipments within twenty four (24) hours of the time that the waste shipment was originally removed from a storage or treatment area authorized by this permit and placed into a container staging or loading/unloading area authorized by this permit or at the same time that the waste shipment was originally removed from a storage or treatment area authorized by this permit and placed into a container staging or loading/unloading area authorized by this permit on the next operating day of the facility. Staged containerized waste shall not count toward the permitted hazardous waste container storage capacities authorized by Conditions 1(a)1, 2 and 3 of Section III of this

permit until the time limits specified above have been exceeded. The permittee shall operate and maintain the proposed containerized waste staging areas in accordance with documents and engineering designs referenced at Condition 12(a) of Section II of this permit. Containerized wastes shall be staged at the following locations as depicted on the engineering design drawing numbered 13/14 entitled "Existing & Proposed Loading/Unloading Areas" referenced at Condition 12(a) of Section II of this permit:

Modified 05/22/02

Proposed processing building
Proposed storage/processing building

(19) Proposed West Loading/Unloading Area Adjacent to Quality Assurance/Quality Control Dock

(i) The permittee is authorized to construct the proposed Quality Assurance/Quality Control (QA/QC) West Loading/Unloading Area in accordance with Condition 6 of Section III this permit;

(ii) The proposed QA/QC West Loading/Unloading Area shall be designed and constructed as depicted in engineering drawing number 7/14 entitled "Quality Control Dock Modification Plan & Details" and located as depicted in engineering drawing number 13/14 entitled "Existing & Proposed Loading/Unloading Areas" referenced at Condition 12(a) of Section II of this permit;

(iii) This authorization is subject to the permittee submitting a letter to the Department in accordance with Condition 6(e)l of Section III of this permit and Departmental inspection of the proposed QA/QC West Loading/Unloading Area in accordance with Condition 6(e)2 of Section III of this permit; and

(iii) If the Department determines that the proposed QA/QC West Loading/Unloading Area has been designed and constructed in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and Condition 6 of Section III of this permit, the permittee shall be authorized to Load/Unload waste in this area. The permittee shall operate and maintain the QA/QC West Loading/Unloading area in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit.

(b) Storage/Treatment in Tanks

(1) Tanks

Modified 8/10/99

(i) The permittee is authorized to store/treat hazardous/non-hazardous waste authorized by Conditions 2(a) and (b) of Section III of this permit in two (2) aboveground, vertical, carbon steel tanks having a combined total storage capacity of fifteen thousand (15,000) gallons. The tanks shall be operated and maintained in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

Tank Number	Function	Volume (Gallons)	Dimensions (Diameter x Height)	Location
Deleted 8/10/99				
ST-4	Blending, Bulking, Decanting, Storage	7,500	10’ x 20’	Tank Farm
ST-5	Blending, Bulking, Decanting, Storage	7,500	10’ x 20’	Tank Farm

Added 8/10/99

(ii) The permittee is authorized to store/treat non-hazardous bulk liquid and semi-liquid waste authorized by Conditions 2(a) and (b) of Section III of this permit in three (3) aboveground, vertical, carbon steel tanks having a combined total storage capacity of forty five thousand (45,000) gallons. The tanks shall be operated and maintained in accordance with all applicable requirements of the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

Tank Number	Function	Volume (Gallons)	Dimensions (Diameter x Height)	Location
ST-1	Blending, Bulking, Decanting, Storage	15,000	10’6” x 23’	Tank Farm

ST-2	Blending, Bulking, Decanting, Storage	15,000	10’6” x 23’	Tank Farm
ST-3	Blending, Bulking, Decanting, Storage	15,000	10’ 6” x 23’	Tank Farm

(2) Tank Decanting

The permittee is authorized to operate a tank decanting process for liquid wastes authorized by Conditions 2(a) and (b) of Section III of this permit. The permittee shall operate and maintain the tank decanting process in accordance with the Part B permit application documents and the engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(i) Before decanting liquid waste, the permittee shall test a representative sample of the waste to be decanted in accordance with the Waste Analysis and Quality Assurance requirements of Condition 3(g)1 of Section III of this permit.

(ii) The permittee shall decant liquid waste from tanks authorized by Condition 1(b)1 of Section III of this permit by pumping, vacuuming, gravity or other equivalent means; and

(iii) The permittee shall perform the decanting of liquid waste and subsequent transfer of such liquid waste within the storage, transfer and treatment areas authorized by this permit.

(3) Blending and Bulking of Waste in Tanks

The permittee is authorized to conduct blending and bulking of organic solvent/aqueous waste authorized by Conditions 2(a) and (b) of Section III of this permit. The permittee shall operate and maintain the blending and bulking treatment process in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(i) Before treating any wastes, the permittee shall test a representative sample of the waste to be treated in accordance with the Waste Analysis and Quality Assurance Requirements of Condition 3(g)1 of Section III of this permit;

(ii) Waste derived fuels blended and bulked by the permittee through the treatment process shall be managed in accordance with Conditions 1(a)

and (b) of Section III of this permit pending shipment to off-site facilities authorized to receive these wastes.

(iii) Waste organic solvents blended and bulked by the permittee through the treatment process shall be managed in accordance with Conditions 1(a) and (b) of Section III of this permit pending shipment to off-site authorized facilities;

(iv) Aqueous wastes blended and bulked by the permittee through the treatment process shall be managed in accordance with Conditions 1(a) and (b) of Section III of this permit pending shipment to off-site authorized facilities; and

(v) The permittee is authorized to utilize the following equipment in the blending and bulking treatment process:

Tanks numbered ST-1, ST-2, ST-3, ST-4 and ST-5
Set of filter screens
Liquid transfer pumps with explosion proof motors
Assorted transfer hoses
Ground lines
One (1) 12' x 4' x 4' screen filter box
One (1) 5.83' x 4' x 3' screen filter box
One (1) in-line dispersing grinder with explosion proof motor

The permittee may add or delete equipment from the above list provided the permittee has given to the Department at the address listed at Condition 11(a) of Section II of this permit written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

Modified 8/10/99

(4) Operating Requirements for the Hazardous Waste Storage/Treatment Tanks

(i) The secondary containment system shall be constructed of Portland cement concrete and concrete blocks and shall be maintained free of cracks or gaps and shall have adequate capacity and impermeability to contain leaks, spills and precipitation from a 25-year, 24-hour rainfall event until the collected material is detected and removed. The secondary containment system shall be maintained and operated to efficiently drain and remove liquids resulting from leaks, spills and precipitation.

(ii) Spilled or leaked waste and accumulated precipitation shall be removed from the secondary containment system within twenty four (24) hours, or in as timely a manner as is possible to prevent harm to human health and the environment.

(iii) The permittee shall operate the tanks in accordance with 40 C.F.R. 264.194.

Modified 8/10/99

(iv) The permittee shall comply with the requirements of 40 C.F.R. 264.198 for the management of ignitable or reactive wastes in the tanks authorized by Condition 1(b)(1)(i) above.

Modified 8/10/99

(v) The permittee shall comply with the requirements of 40 C.F.R. 264.199 for the management of incompatible wastes in the tanks authorized by Condition l(b)(1)(i) above. The permittee shall not place a waste which is incompatible with the material of construction of a tank, in that tank, prior to compliance with 40 C.F.R. 264.17(b). The permittee shall not place a hazardous waste in a tank system that has not been decontaminated and that previously held an incompatible waste or material prior to compliance with 40 C.F.R. 264.17(b).

(vi) In response to leaks or spills and disposition of leaking or unfit for use tank systems, the permittee shall comply with the requirements cited at 40 C.F.R. 264.196 as follows:

(A) Cessation of use; prevent flow or addition of wastes. The owner or operator must immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.

(B) Removal of waste from the tank system or secondary containment system.

(1) If the release was from the tank system, the permittee must, within 24 hours after detection of the leak or, if the permittee demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed.

(2) If the material released was to a secondary containment system, all released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment.

(C) Containment of visible releases to the environment. The permittee must immediately conduct a visual inspection of the release and, based upon that inspection:

(1) Prevent further migration of the leak or spill to soils or surface water; and

(2) Remove, and properly dispose of, any visible contamination of the soil or surface water.

(D) Notifications, reports.

(1) Any release to the environment, except as provided in the following paragraph (D)(2), must be reported to the Department within 24 hours of its detection. If the release has been reported pursuant to 40 CFR Part 302, that report will satisfy this requirement.

(2) A leak or spill of hazardous waste is exempted from the requirements of this paragraph if it is:

(I) Less than or equal to a quantity of one (1) pound, and

(II) Immediately contained and cleaned up.

(3) Within 30 days of detection of a release to the environment, a report containing the following information must be submitted to the Department:

(I) Likely route of migration of the release;

(II) Characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate);

(III) Results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data must be submitted to the Department as soon as they become available.

(IV) Proximity to downgradient drinking water, surface water, and populated areas; and

(V) Description of response actions taken or planned.

(E) Provision of secondary containment, repair, or closure.

(1) Unless the permittee satisfies the requirements of the following paragraphs (E)(2) through (E)(4) of this section, the tank system must be closed in accordance with 40 C.F.R. § 264.197 and Condition 5(b) of Section III of this permit.

(2) If the cause of the release was a spill that has not damaged the integrity of the system, the permittee may return the system to service as soon as the released waste is removed and repairs, if necessary, are made.

(3) If the cause of the release was a leak from the primary tank system into the secondary containment system, the system must be repaired prior to returning the tank system to service.

(4) If the source of the release was a leak to the environment from a component of a tank system without secondary containment, the permittee must provide the component of the system from which the leak occurred with secondary containment that satisfies the requirements of 40 C.F.R. § 264.193 before it can be returned to service, unless the source of the leak is an aboveground portion of a tank system that can be inspected visually. If the source is an aboveground component that can be inspected visually, the component must be repaired and may be returned to service without secondary containment as long as the requirements of paragraph (F) below of this section are satisfied. If a component is replaced to comply with the requirements of this subparagraph, that component must satisfy the requirements for new tank systems or components in 40 C.F.R. §§ 264.192 and 264.193. Additionally, if a leak has occurred in any portion of a tank system component that is not readily accessible for visual inspection (e.g., the bottom of an inground or onground tank), the entire component must be provided with secondary containment in accordance with 40 C.F.R. 264.193 prior to be returned to use.

(F) Certification of major repairs. If the permittee has repaired a tank system in accordance with paragraph (E) above, and the repair has been extensive (e.g., installation of an internal liner; repair of a ruptured primary containment or secondary containment vessel), the tank system must not be returned to service unless the permittee has obtained a certification by an independent, qualified, registered, professional engineer in accordance with 40 C.F.R. 270.11(d) that the repaired system is capable of handling hazardous wastes without release for the intended life of the system. This certification must be submitted to the Department within seven days after returning the tank system to use.

Modified 8/10/99

(vii) The permittee shall every day the facility is in operation record in an inspection log or summary the volume of any tank used for the storage of

hazardous/non-hazardous waste. The permittee shall place the inspection log or summary record of the tank storage volume into the operating record of the facility in accordance with 40 C.F.R. 264.73 et seq.

Modified 8/10/99

(viii) The permittee is authorized to substitute hazardous/non-hazardous waste tank storage volume authorized by Condition l(b)(1) of Section III of this permit for its equivalent hazardous or non-hazardous waste container storage volume authorized by Condition 1(a) of Section III of this permit subject to the following conditions:

(A) The permittee has provided to the Department at the addresses listed at Condition 11 of Section II of this permit written notification of the proposed substitution describing the affected tank(s) and the length of time the subject tank(s) will be taken out of service;

(B) The tank(s) to be substituted for container storage volume shall be empty; and

(C) Tank storage volume substituted for container storage volume in accordance with Conditions 1(b)4viii(A) and (B) above shall not count as authorized storage capacity while the tank(s) remains out of service.

Added 8/10/99

(5) Operating Requirements for the Non-Hazardous Waste Storage/Treatment Tanks

(i) The secondary containment system shall be constructed of Portland cement concrete and concrete blocks and shall be maintained free of cracks or gaps and shall be impervious to non-hazardous waste to prevent any non-hazardous waste released into the containment system from migrating out of the system to the soil, groundwater or surface water. The secondary containment system shall be maintained and operated to efficiently drain and remove liquids resulting from leaks, spills and precipitation; and

(ii) Spilled or leaked non-hazardous waste and accumulated precipitation shall be removed from the secondary containment system in as timely a manner as is possible to prevent harm to human health and the environment.

(c) Treatment

(1) Existing Solidification/Stabilization at Area # 1 In Concrete Cells

Modified 05/22/02

(i) The permittee is authorized to operate a treatment process using four (4) concrete cells for the solidification/stabilization of waste authorized by Conditions 2(c)(l) and 2(f)(1) of Section III of this permit with cement

kiln dust or equivalent materials. The permittee shall maintain and operate the solidification/stabilization treatment process in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

Location	Function	Dimensions (L x W x H) ft	Waste Types
Solidification/ Stabilization Area #1, Concrete Cells 1, 2, 3 And 4	Solidification/ stabilization, Consolidation, crushing of containers or the storage of cement kiln dust or equivalent materials	22 x 15 x 8	Waste authorized by Conditions 2(c)(l) and 2(f)(1) of Section III of this permit that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. 261.21 and 261.23 et seq.

(A) The permittee may utilize one (1) of the four (4) concrete cells for the storage of cement kiln dust or equivalent materials or a pneumatic tanker;

(B) The permittee may utilize up to four (4) concrete cells for the solidification/stabilization of waste with cement kiln dust or equivalent materials;

(C) Before treating any waste, the permittee shall test a representative sample of the waste to be solidified/stabilized in accordance with the Waste Analysis and Quality Assurance requirements of Condition 3(g)5 of Section III of this permit;

(D) The permittee shall empty waste from containers into the concrete cells of the solidification/stabilization area. The permittee shall introduce cement kiln dust or equivalent materials into the waste to be solidified/stabilized with a backhoe, front end loader or other equipment authorized by the Department. The permittee shall mix the waste and cement kiln dust or equivalent material with a backhoe, front end loader or other equipment authorized by the Department;

(E) The permittee may place the solidified/stabilized waste in leak-proof roll-offs, leak-proof dump trailers or leak-proof intermodal containers;

(F) The permittee shall manage the solidified/stabilized waste in accordance with the Condition 1(a) of Section III of this permit pending shipment to off-site authorized facilities or transfer the solidified/stabilized waste directly off-site to authorized facilities;

(ii) The permittee is authorized to utilize the following equipment for the solidification/stabilization of wastes:

Back Hoe
Fork Lift
Drum Grappler
Front End Loader
Leak Proof Roll-offs
Leak Proof Dump Trailers
Concrete Cells 1, 2, 3 and 4
Pneumatic Tanker
Leak Proof Intermodal Containers

The permittee may add or delete equipment from the above list provided the permittee has given the Department, at the address listed at Condition 11(a) of Section II of this permit, written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

Added 05/22/02

(iii) The existing treatment, storage and transfer of hazardous waste at area #1 by solidification/stabilization in concrete cells authorized by Section III, Condition 1(c)(1) of this permit shall be replaced by the proposed containment building authorized by Section III, Condition 1(c)(2) of this permit within thirty (30) days from the date the Department approves the use of the proposed containment building. Within thirty (30) days from the date the Department approves the use of the proposed containment building, the permittee shall begin closure of solidification/stabilization area #1 in accordance with the closure requirements of Section III, Condition 5(a) of this permit. After the Department accepts the closure certifications for solidification/stabilization area #1 this area shall only be used for the treatment, storage and transfer of non-hazardous waste authorized by Section III, Condition 2 of this permit. The permittee is prohibited from treating, storing or transferring hazardous waste at solidification/stabilization area #1, thirty (30) days from the date the Department approves the use of the proposed containment building.

Modified 05/22/02

(2) <u>Proposed Containment Building</u>

(i) The permittee is authorized to construct the proposed containment building in accordance with Condition 6 of Section III of this permit and the Part B permit application documents referenced at Condition 12(a) of Section II of this permit.

(ii) If the Department determines that the proposed containment building has been constructed in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and Condition 6 of Section III of this permit, the permittee shall be authorized to treat waste authorized by Conditions 2(c)(1) and 2(f)(1) of Section III of this permit by solidification/stabilization with cement kiln dust or equivalent materials and store and transfer waste authorized by Conditions 2(c)(1) and 2(f)(1) of Section III of this permit in the proposed containment building. The permittee shall operate and maintain the proposed containment building in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

Location	Function	Maximum Storage/ Treatment Capacity	Waste Types
Site Plan Drawing No. "SP1"	Solidification/ Stabilization, Consolidation, Crushing of Containers, Screening, Storage and Transfer	Cell 1: 402 Yd^3 Cells: 2, 3, and 4: 195 YD^3 Process Floor: 453 YD^3 Truck Bay: 8,079 gallons	Wastes authorized by Conditions 2(c)(1) and 2(f)(1) of Section III of this permit that do not exhibit the characteristic of ignitability or reactivity as defined at 40 C.F.R. 261.21 and 261.23

(A) The permittee shall empty waste from containers into the secondary containment system of the containment building. The permittee shall introduce cement kiln dust or equivalent materials into the waste to be solidified/stabilized by the use of equipment authorized by the Department, as described in the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit;

(B) The permittee shall mix the waste and cement kiln dust or equivalent material with a backhoe, front end loader or other equipment authorized by the Department;

(C) The permittee may place the solidified/stabilized waste in leak-proof roll-offs, leak-proof dump trailers or intermodal containers in any area authorized by this permit for storage or transfer pending shipment to off-site authorized facilities.

(iii) The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of

Section III of this permit to utilize the following equipment for the solidification/stabilization of wastes:

Back Hoe
Fork Lift
Drum Grappler
Front End Loader
Leak Proof Roll-Offs
Leak Proof Dump Trailers
Leak Proof Intermodal Containers
Concrete Cells 1, 2, 3 and 4
Kiln dust or equivalent material
Screening Equipment

The permittee may add or delete equipment from the above list provided the permittee has given the Department, at the address listed at condition 11(a) of Section II of this permit, written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

(iv) The permittee shall comply with the following operating requirements for the containment building:

(A) In accordance with 40 C.F.R. 264.1101(a)(2) all surfaces to be in contact with hazardous wastes shall be chemically compatible with those wastes.

(B) In accordance with 40 C.F.R. 264.1101(a)(2)(ii) the unit shall be operated in a fashion that assures that wastes will not actually come into contact with door and window openings.

(C) In accordance with 40 C.F.R. 264.1101(a)(3) incompatible hazardous wastes or treatment reagents shall not be placed in the unit or its secondary containment system if they could cause the unit or secondary containment system to leak, corrode, or otherwise fail.

(D) In accordance with 40 C.F.R. 264.1101(d)(2) the permittee shall take measures to prevent the release of liquids or wet materials into areas without secondary containment;

(E) In accordance with 40 C.F.R. 264.1101(d)(3) the permittee shall maintain in the facility's operating log a written description of the operating procedures used to maintain the integrity of areas without secondary containment.

(F) The permittee is prohibited from storing, treating or transferring uncontainerized liquid or semi-liquid waste in the containment building.

(G) The permittee shall manage non-friable asbestos containing materials as defined at N.J.A.C. 7:26-1.4 in a manner that will not cause these materials to become Regulated Asbestos Containing Materials (RACM) as defined at N.J.A.C. 7:26-1.4.

(H) The permittee is prohibited from treating, storing or transferring uncontainerized waste in the truck loading/unloading bay of the containment building.

(v) The permittee shall use controls and practices to ensure containment of the hazardous waste within the unit; and, at a minimum:

(A) Maintain the primary barrier to be free of significant cracks, gaps, corrosion, or other deterioration that could cause hazardous waste to be released from the primary barrier;

(B) Maintain the level of the stored/treated waste within the containment walls of the unit so that the height of any containment wall is not exceeded;

(C) Take measures to prevent the tracking of hazardous waste out of the unit by personnel or by equipment used in handling the waste by operating a decontamination area within the unit for the wash-down of personnel or equipment prior to exiting the unit. Rinsate generated from the wash-down of personnel or equipment shall be collected and properly managed;

(D) Take measures to control fugitive dust emissions such that any openings (doors, windows, vents, cracks, etc.) exhibit no visible emissions in accordance with 40 C.F.R. Part 60, Appendix A, Method 22- Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares. All associated particulate collection devices shall be operated and maintained with sound air pollution control practices in accordance with 40 C.F.R. Part 60, Subpart 292. The state of no visible emissions shall be maintained effectively at all times during routine operating and maintenance conditions, including when vehicles and personnel are entering and exiting the unit;

(vi) If the permittee detects a condition that could lead to or has caused a release of hazardous waste from the containment building, the permittee shall repair the condition promptly, in accordance with the following procedures:

(A) Upon detection of a condition that has lead to the a release of hazardous waste, the permittee shall:

(1) Enter a record of the discovery in the facility operating record;
(2) Immediately remove the portion of the containment building affected by the condition from service;
(3) Determine what steps must be taken to repair the containment building, remove any leakage from the secondary collection system, and establish a schedule for accomplishing the clean-up and repairs; and
(4) Within seven (7) days after the discovery of the condition, notify the Department of the condition and within fourteen (14) working days, provide a written notice to the Department with a description of the steps taken to repair the containment building, and the schedule for accomplishing the work.

(B) The Department will review the information submitted, make a determination regarding whether the containment building must be removed from service completely or partially until repairs and cleanup are complete, and notify the permittee of the determination and the underlying rationale in writing.

(C) Upon completing all repairs and cleanup the permittee shall notify the Department in writing and provide a verification, signed by a qualified professional engineer registered in the State of New Jersey, that the repairs and cleanup have been completed according to the written plan submitted in accordance with 40 C.F.R. 264.1101(c)(3)(i)(D).

(3) Proposed Shredding/Size Reduction

The permittee will be authorized subject to Departmental approval of the final design and construction in accordance with Condition 6(e)2 of Section III of this permit to operate a treatment process for the shredding/size reduction of waste authorized by Condition 2(e) of Section III of this permit. The permittee shall operate and maintain the treatment process in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(i) The treatment process shall be conducted within the concrete containment systems of the proposed processing building and the proposed processing/storage building authorized by this permit;

(ii) Before treating any waste, the permittee shall test a representative sample of the waste in accordance with the Waste Analysis and Quality Assurance Requirements of Condition 3(g)9 of Section III of this permit;

(iii) The permittee shall empty waste from containers into the shredder feed hopper or place whole containers containing waste directly into the feed hopper of the shredder; and

(iv) Shredded waste shall be collected in containers at the discharge of the shredder for transfer to any storage, treatment or transfer activity authorized by this permit.

(4) Filtration

(i) The permittee is authorized to operate a treatment process for the filtration of wastes authorized by Conditions 2(a), (b) and (d) of Section III of this permit. The permittee shall operate and maintain the treatment process in accordance with the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit and as follows:

(A) Liquid or semi-liquid waste may be pumped through the filter screen box(s) located within the tank farm containment system(s) to remove suspended solids prior to transferring such waste to any storage, transfer or treatment activity authorized by this permit; and

(B) Liquid or semi-liquid waste may be pumped through portable filtration devices located within any concrete containment system authorized by this permit to remove suspended solids prior to transferring such waste to any storage, transfer or treatment activity authorized by this permit.

(ii) The permittee is authorized to utilize the following equipment for the filtration treatment process:

One (1) 12’ x 4’ x 4’ screen filter box
One (1) 5.83’ x 4’ x 3’ screen filter box
Assorted transfer hoses
Ground lines
Portable filtration devices
Set of filter screens
Liquid transfer pumps with explosion proof motors
One (1) in line dispersing grinder with explosion proof motors

The permittee may add or delete equipment from the above list provided the permittee has given the Department, at the address listed at Condition

11(a) of Section II of this permit, written notification of such addition(s) or deletion(s) and the permittee has received written approval from the Department.

(5) Container, Tank and Equipment Clean-outs

The permittee shall perform container, tank and equipment clean outs within the concrete containment systems authorized by this permit. The accumulated sludges, solids and rinsate removed from the container(s), tank(s) and equipment being cleaned shall be managed in accordance with the Condition 1 of Section III this permit. The permittee shall maintain and follow appropriate Standard Operating Procedures for tank and confined space entry by facility personnel.

(6) Operation Requirements for the Treatment of Waste

(i) The permittee shall comply with all conditions and provisions of the air pollution "Permit to Construct, Install or Alter Control Apparatus or Equipment and Certificate to Operate Control Apparatus or Equipment" pursuant to N.J.A.C. 7:27-8 for each treatment process;

(ii) A secondary containment system, constructed of Portland cement concrete shall be maintained free of cracks or gaps and of adequate capacity and be sufficiently impervious to contain leaks, spills and accumulated rainfall until the collected material is detected and removed. The base shall have adequate structural integrity to withstand the maximum stress applied to the base due to activities or structures placed in the containment area. The secondary, containment system shall be maintained and operated to efficiently drain and remove liquids resulting from leaks, spills and precipitation;

(iii) Spilled or leaked waste or accumulated precipitation shall be removed from the secondary containment system in a timely manner, to prevent blockage or overflow of the collection system. On-site generated precipitation shall be managed in accordance with the on-site rain-water and storage plan referenced at Condition 12(a) of Section II of this permit or managed in accordance with all effluent and monitoring conditions as required by state and local permits, including the requirements of N.J.A.C. 7:14A-1 et seq. (Regulations Concerning the New Jersey Pollutant Discharge Elimination System);

(iv) The permittee shall not place a waste which is incompatible with waste already in a treatment process, or incompatible with a material of construction of a treatment process, in that treatment process. The permittee shall not place a hazardous waste in an unwashed treatment process which previously held an incompatible waste or material. The permittee shall evaluate each waste, prior to its addition to any treatment

process, to ensure compliance with 40 C.F.R. § 264.17(b), in accordance with Condition 3(g) of Section III of this permit; and

(v) The permittee shall comply with the special requirements for ignitable or reactive waste as provided at 40 C.F.R. § 264.17(a) for all treatment processes holding ignitable or reactive wastes.

Added 05/22/02

(vi) The permittee shall manage non-friable asbestos containing materials in a manner that will not cause these materials to become Regulated Asbestos Containing Materials (RACM) as defined at N.J.A.C. 7:26-1.4.

Added 05/22/02

(vii) The permittee is prohibited from treating Category II non-friable asbestos containing material as defined at N.J.A.C. 7:26-1.4 by any method that would reduce the size of the material.

(d) The permittee shall not store hazardous waste at any location at the facility other than those authorized in 1(a) and (b) above.

(e) The permittee shall obtain a prior approval from the Office of Permitting to make any changes or alterations to the authorized activities in this condition.

2. Authorized Wastes

The permittee is authorized to accept the following Universal Waste: batteries as described at N.J.A.C. 7:26A-7.1(b), pesticides as described at N.J.A.C. 7:26A-7.1(c), and thermostats as described N.J.A.C. 7:26A-7.1(d). Universal waste shall be managed in accordance with the requirements of N.J.A.C. 7:26A-7.

The permittee is also authorized to accept the following bulk and containerized shipments of hazardous waste and any compatible mixtures thereof in accordance with all applicable regulations of the hazardous waste manifest system and handling requirements at N.J.A.C. 7:26G-6 et seq. and the following bulk and containerized shipments of non-hazardous waste and any compatible mixtures thereof by bill of lading:

(a) Organic Solvent/Aqueous Wastes

D001, D002, D004 through D043, F001 through F009, F010, F011, F012, F019, F024, F025, F032, F034, F035, F037, F038, F039, K001 through K011, K013, K014, K015 through K030, K035, K036, K042, K044, K046, K048 through K052, K060, K061, K062, K079, K081, K083 through K088, K093 through K096, K100 through K105, K156 through K161, P001, P006, P022, P028, P029, P030, P050, P053, P055, P064, P074, P098, P105, P106, P120, P127, P128, P185, P188 through P192, P194, P196 through P199, P201 through P205, U001 through U012, U014 through U027, U028 through U031, U034 through U039, U041 through U053, U055 through U064, U066 through U099, U101, U102, U103, U105 through U134, U136, U137, U139, U140 through U159, U161 through U174, U177, U179 through U189, U190 through U194, U197, U200 through U228, U230 through U235, U237, U239, U240, U242, U243,

U244, U246, U247, U248, U249, U271, U272, U277 through U280, U328, U353, U359, U364 through U367, U372, U373, U375 through U379, U381, U382 through U387, U389 through U396, U400 through U404, U407, U409, U410, U411 and ID 72

The permittee is authorized to conduct blending and bulking in containers, blending and bulking in tanks, container storage, container decanting, container staging, container transfer, tank storage, tank decanting, filtration, homogenization, loading/unloading and vehicle staging activities for the above listed wastes.

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(b) Aqueous Waste

D001, D002, D004 through D043, all "P" and "U" hazardous wastes listed at 40 C.F.R. § 261.33 et seq., F001 through F012, F019 through F024, F025, F026 through F028, F032, F034, F035, F037, F038, F039, K001 through K011, K013 through K052, K060 through K069, K071, K073, K079, K081, K083 through K088, K090, K091, K093 through K118, K123 through K126, K131, K132, K136, K156 through K161 and ID 72.

The permittee is authorized conduct blending and bulking in containers, blending and bulking in tanks, container storage, container decanting, container staging, container transfer, tank storage, tank decanting, filtration, homogenization, loading/unloading and vehicle staging activities for the above listed wastes.

(c) Solids, Sludges or Slurries

Modified 05/22/02

(1) D002, D004 through D043, all "P" and "U" hazardous wastes listed at 40 C.F.R. 261.33 et seq., F001 through F012, F019 through F024, F025, F026 through F028, F032, F034, F035, F037, F038, F039, K001 through K011, K013 through K052, K060 through K069, K071, K073, K079, K081, K083 through K088, K090, K091, K093 through K118, K123 through K126, K131, K132, K136, K156 through K161, ID 27 and ID 72

The permittee is authorized to conduct solidification/stabilization in concrete cells and in the secondary containment system of a containment building, screening, consolidation, homogenization, container storage, container decanting, container staging, container transfer, loading/unloading and vehicle staging activities for the above listed wastes.

Modified 05/22/02

(2) All "D" hazardous waste listed at 40 C.F.R. §§ 261.21 through 261.24 et seq., all "P" and "U" hazardous wastes listed at 40 C.F.R. 261.33 et seq., F001 through F012, F019 through F024, F025, F026 through F028, F032, F034, F035, F037, F038, F039, K001 through K011, K013 through K052, K060 through K069, K071, K073, K079, K081, K083 through K088, K090, K091, K093 through K118, K123 through K126, K131, K132, K136, K156 through K161, ID 27 and ID 72.

The permittee is authorized to conduct solidification/stabilization in containers with cement kiln dust/sawdust or equivalent materials, screening, container staging, container transfer, container storage, container decanting, consolidation, homogenization, loading/unloading and vehicle staging activities for the above listed wastes for the above listed wastes.

(d) Solids, Semi-Solids and Liquids

Modified 05/22/02

All "D" hazardous waste listed at 40 C.F.R. §§ 261.21 through 261.24 et seq., all "P" and "U" hazardous wastes listed at 40 C.F.R. § 261.33 et seq. F001 through F012, F019 through F024, F025, F026 through F028, F032, F034, F035, F037, F038, F039, K001 through K011, K013 through K052, K060 through K069, K071, K073, K079, K081, K083 through K088, K090, K091, K093 through K118, K123 through K126, K131, K132, K136, K141, K147, K148, K156 through K161, ID 27 and ID 72

The permittee is authorized to conduct container repacking, container staging, container transfer, container storage, container decanting, consolidation, homogenization, filtration, loading/unloading and vehicle staging activities for the above listed wastes.

(e) Waste Types for Shredding

Modified 05/22/02

D001, D002, D004 through D043, F001 through F012, F019, F024, F025, F028, F032, F034, F035, F037, F038, F039, K001 through K062, K064, K065, K066, K069, K071, K073, K083 through K088, K090, K091, K093 through K118, K123 through K126, K131, K132, K136, K141, K147, K148, K156 through K161, P001 through P018, P020 through P024, P026 through P031, P033, P034, P036 through P051, P054, P056 through P060, P062 through P078, P081, P082, P084, P085, P087, P088, P089, P092 through P099, P101 through P116, P118 through P123, P127, P128, P185, P188 through P192, P194, P196, P199, P201 through P205, U001 through U009, U014 through U039, U041 through U053, U055 through U099, U101 through U174, U176 through U194, U196, U197, U200 through U211, U213 through U223, U225 through U228, U234 through U240, U243, U244, U246 through U249, U271, U272, U277 through U280, U328, U353 through U359, U364 through U367, U372, U373, U375 through U379, U381, U382 through U387, U389 through U396, U400 through U404, U407, U409, U410, U411, ID 27 and ID 72

The permittee is authorized to conduct container repackaging, container decanting, container storage, container transfer, container staging, loading/unloading and vehicle staging activities for the above listed wastes.

Added 05/22/02

(f) Waste Material Consisting of Asbestos or Asbestos Containing Wastes

(1) ID 27A (non-friable asbestos containing material)

The permittee is authorized to conduct solidification/stabilization in containers and concrete cells and in the secondary containment system of a containment

building, consolidation, container staging, screening, storage and transfer and the loading/unloading and vehicle staging for the above listed waste.

(2) ID 27A (regulated asbestos containing material)

The permittee is authorized to conduct container staging, storage, transfer and consolidation of unopened bags/containers, loading/unloading, vehicle staging and the repackaging of damaged bags/containers for the above listed waste.

3. Waste Analysis and Quality Assurance Requirements
Modified 05/22/02

(a) The permittee shall adhere to the provisions of the waste analysis plan cited in Condition 12(b)5 of Section II of this permit, any subsequent revisions approved by the Office of Permitting and Technical Programs and the requirements of this condition.

(b) Pre-Acceptance Procedures for Waste Other Than Lab Pack Containers and Containers For Transfer

The permittee shall comply with the conditions listed below prior to accepting any waste from off-site generators:

(1) The permittee shall obtain the following documentation from the generator:

(i) A properly completed Generator Waste Profile Sheet (WPS), asbestos WPS or a non-hazardous WPS. The WPS shall contain all applicable information identified in the sample WPS form provided in the Waste Analysis Plan referenced at Condition 12(b)5 of Section II of this permit; and

(ii) If the generator fails to provide all of the information requested on the forms listed in Condition 3(b)li above, that is necessary to safely and properly store, transfer, treat or disposal of the waste in accordance 40 C.F.R. § 264 et seq., the permittee shall contact the generator and obtain the necessary information to complete the forms.

(2) The permittee may make arrangements to accept the waste if a thorough evaluation of the information obtained in accordance with Condition 3(b)1 above, indicates that the waste is one of the wastes the permittee is authorized by Condition 2 of Section III of this permit to accept.

(c) Pre-Acceptance Procedures for Lab Pack Containers and Containers for Transfer

(1) For containers to be accepted for transfer only, the permittee shall comply with the following:

(i) The permittee shall obtain a completed generator WPS and any other supporting documentation, such as but not limited to a chemical waste

packing list for lab pack containers in accordance with Condition 3(b)l of Section III of this permit;

(ii) The permittee shall review the information on the WPS and any supporting documentation. If the waste stream(s) are all wastes which the permittee is authorized to accept then the permittee shall review the acceptability of the waste stream(s) at potential authorized off-site treatment or disposal facilities. Such review shall include the permittee's knowledge of waste acceptability criteria of the potential ultimate facility and if necessary shall involve the submittal of the WPS and any supporting documentation to the potential ultimate facility for the potential ultimate facility's confirmation of the acceptability of the waste stream;

(iii) Waste streams accepted for transfer need not be analyzed unless the permittee has reason to believe they are not as represented on the waste profile sheet, but shall undergo testing to meet acceptability criteria of the ultimate treatment or disposal facility, if necessary.

(iv) The permittee shall only accept lab pack containers that contain individual containers of laboratory chemicals that are accompanied by a packing list that itemizes the individual containers contained within the lab pack container;

(v) The permittee shall only accept lab pack containers that contain individual containers of laboratory chemicals that have been packed at the generator's site by the permittee's Quality Assurance Technicians and/or companies experienced in the identification, segregation and packing a laboratory chemicals;

(vi) The permittee shall require the generator of lab pack containers to properly identify or analyze the contents of the individual containers of waste within a lab pack container that do not contain the original manufacturer's label.

(2) For lab pack containers to be accepted for processing, the permittee shall comply with the following:

(i) The permittee shall obtain a WPS and any supporting documentation in accordance with Condition 3(b)l of Section III of this permit and a chemical waste packing list. The packing list for each lab pack container shall list the specific names of all laboratory chemical bottles, jars, jugs, etc. in that lab pack container;

(ii) The permittee shall review the information on the WPS, packing list and any supporting documentation. If the laboratory chemicals are all wastes

that the permittee is authorized to accept for on-site processing the permittee may contract with the generator for shipment of the waste; and

(iii) Lab pack chemicals in their original containers and bearing original labels need not be analyzed unless the permittee has reason to believe they are not as represented on the waste profile sheet. If the individual bottles, jars, jugs, etc. are to be removed from the lab pack containers opened and blended or bulked with other wastes, then the permittee shall confirm the compatibility of the wastes prior to commencing such blending or bulking, by performing the compatibility test identified in the report at Condition 12(a)5 of Section II of this permit.

(d) Procedures For Incoming Wastes Except Lab Pack Containers and Containers For Transfer

Upon arrival of each waste shipment, the permittee shall comply with the following:

(1) The permittee shall perform a visual inspection of the incoming waste shipment;

(2) The permittee shall collect representative samples of the waste shipment, except for non-hazardous waste sludges or solids that are visually conforming, as follows:

(i) Bulk Shipments

At least one (1) sample shall be taken from each transport unit. Samples shall be taken using a coliwasa or equivalent sampler for liquids or a stainless steel scoop for solids. Bulk shipment samples shall not be composited except for Polychlorinated Biphenyl (PCB) screening.

Modified 11/23/98

(ii) Containerized Shipments

(A) The permittee shall collect a separate representative sample for analysis in accordance with the Waste Analysis and Quality Assurance Requirements of this Section from each container of each generator's waste stream as described on each manifest or bill-of-lading line item description with the exception of (i), (ii) and (iii) below:

(i) For heterogeneous hazardous waste or non-hazardous waste solids, composite samples may be collected from up to ten (10) containers per composite sample;

(ii) For homogeneous hazardous waste or non-hazardous waste solids, separate samples may be collected from as few as twenty percent (20%) of the containers or

composite samples may be collected from up to twenty containers per composite sample; and

(iii) For non-hazardous waste liquids, composite samples may be collected from up to twenty-five percent (25%) of the containers per composite sample.

(B) Samples shall be taken using a coliwasa or equivalent sampler for liquids or a stainless steel scoop for solids.

(iii) Multi-Phase Wastes

Representative samples shall be collected using a coliwasa or equivalent sampler. The permittee shall perform a separate series of analyses on each phase of waste to be subjected to a different treatment activity.

(iv) For multiple shipments of hazardous waste received during the same day, profiled under the same approval code number, generated from the same process(es) and where the waste constituents do not vary in type or quantity in significant amounts, only the first shipment received shall be sampled and analyzed. Subsequent shipments received on the same day shall be visually inspected and compared to the first shipment and the hazardous waste profile sheet to determine conformance with the approved waste stream. If found to be visually non-conforming each non-conforming shipment shall be sampled and analyzed.

Modified 11/23/98

(3) The permittee shall perform the following basic mandatory analyses on the representative sample of the waste on all incoming waste, except PCB analysis which shall only be performed on ignitable, combustible and organic wastes that are not one hundred percent (100%) aqueous waste streams and only chemical compatibility analysis for non-hazardous waste sludges and solids, where applicable, in accordance with the requirements of the Waste Analysis Plan referenced at Condition 12(b)(5) of Section II of this permit:

(i) Paint filter test
(ii) Flash point
(iii) Ignitability
(iv) BTU/gallon
(v) Percent chlorine
(vi) Chlorine spot test
(vii) Specific gravity
(viii) Miscibility
(ix) pH
(x) Total Organic Carbon (Aqueous Waste only)
(xi) Chemical Compatibility
(xii) Reactivity
(xiii) Polychlorinated biphenyl (PCB)

(4) The permittee shall base the decision to accept or reject the incoming waste load on a comparison of information obtained from analysis of the incoming waste load samples to the information obtained from the pre-acceptance procedures of Condition 3(b) of Section III of this permit. When a waste shipment is found to be non-conforming, the permittee shall comply with the procedures of Condition 3(f) of Section III of this permit.

(5) In the event that a representative sample of waste yields a PCB analysis greater than fifty (50) ppm, except for small capacitors that are not regulated as hazardous waste at 40 C.F.R. 261.8, the permittee shall:

(i) Provide oral and written notifications to the Department in accordance with Condition 3(j) of' Section III of this permit;

(ii) Refrain from unloading or processing the waste shipment;

(iii) Return the waste shipment of PCB contaminated waste to the generator as soon as any additional analysis that may be required is completed; and

(iv) Provide written notification to the Department at the address listed at Condition 11(a) of Section II of this permit that the waste has been returned to the generator.

(e) Procedures For Incoming Waste Lab Pack Containers and Containers for Transfer

Upon arrival of each waste shipment the permittee shall comply with the following:

(1) A visual inspection of the incoming waste shipment shall be performed; and

(2) The permittee's decision to accept or reject the incoming waste load shall be based on a comparison of the information obtained by inspection versus information obtained from the manifest or bill of lading and the pre-acceptance documentation obtained in accordance with Condition 3(c) of Section III of this permit. When a waste is found to be non-conforming the permittee shall comply with the procedures at Condition 3(f) below.

(f) Acceptance of Non-Conforming Wastes

The permittee my accept a hazardous waste which appears to be other than the quantity or waste type described on the manifest, if performance of the Pre-Acceptance Procedures listed in Conditions 3(b) or 3(c) above indicates that the permittee is authorized to accept such waste and thereafter complies with 40 C.F.R. § 264.72.

(g) Process Specific Analyses

Before processing any waste, the permittee shall test a representative sample of the waste to be processed for the parameters listed below. No testing, except compatibility, is required for non-hazardous waste sludges or solids that are visually conforming.

(1) Tank storage/treatment: compatibility
(2) Container storage/treatment: compatibility
(3) Container repacking: pH, reactivity, ignitability and compatibility
(4) Consolidation: ignitability, reactivity and compatibility

Modified 05/22/02

(5) Solidification/stabilization in concrete cells and in the secondary containment system of the containment building, with cement kiln dust or equivalent materials: pH, reactivity, ignitability and compatibility
(6) Solidification/stabilization in containers with cement kiln dust or equivalent materials: pH, compatibility, reactivity and ignitability
(7) Solidification/stabilization in containers with saw dust or equivalent materials: pH, compatibility, reactivity and ignitability
(8) Blending and bulking in containers/tanks:

Specific gravity, reactivity, ignitability, corrosivity, compatibility, pH, organic chlorine content, BTU content, bottom sediment, water content, type acid or base and total organic carbon, if applicable

Modified 05/22/02

(9) Shredding/Screening

pH, reactivity, ignitability and compatibility

(10) Homogenization:

Compatibility

Modified 05/22/02

(h) Procedures for Outgoing Wastes Except Lab Pack Containers and Containers for Transfer

The permittee shall perform analyses on a representative sample of the waste on outgoing shipments on an as needed basis to satisfy the requirements of the ultimate storage, transfer, treatment or disposal facility authorized to receive such waste.

For the purposes of classifying the waste and determining compliance with land disposal restrictions of 40 C.F.R Part 268, the permittee shall collect the following samples from hazardous waste that has been treated by stabilization in the containment building and solidification/stabilization area no. 1. All the samples collected shall be analyzed for the parameters necessary to classify the waste and to determine compliance with the land disposal restrictions:

(1) A representative composite sample of each treatment batch shall be collected in accordance with the procedures detailed in Sections 3.0 through 3.4.4 of the document titled "Batch Sampling Procedures for Treated Hazardous Wastes," submitted on September 20, 2001. Section 3.5, Special Composite Sampling Requirements for Continuous Treatment Batches, of the cited document which proposes reduced composite sampling frequencies for specific waste streams and circumstances is not approved.

(2) Except as allowed in (3) below, a representative grab sample of each treatment batch shall be collected in accordance with the procedures detailed in Sections 3.0 through 3.3 and 3.6 of the document titled "Batch Sampling Procedures for Treated Hazardous Wastes," submitted on September 20, 2001.

(3) For treatment batches that meet the requirements listed below, the permittee shall collect an initial grab sample from each new batch established. If the analytical results from this initial grab sample indicate that the stabilization process has effectively treated the batch to a non-hazardous classification and to meet land disposal treatment standards, thereafter, the permittee may elect not to collect a grab sample from the same established batch. However, the permittee shall, at a minimum, collect a grab sample from the first of each such treatment batch processed in every calendar month. The grab samples shall be collected in accordance with the procedures detailed in Section 3.0 through 3.3 and 3.6 of the document titled "Batch Sampling Procedures for Treated Hazardous Wastes:"

(i) Each batch may only consist of the following:

- Sand blast grit contaminated with lead from surface preparation for painting from various sites,
- Contaminated soils from the same remediation site,
- Wastewater treatment filter cake from the same generator, or
- Other waste streams requested by the permittee in writing and approved by the Department

(ii) No more than five (5) waste streams may be combined in a single treatment batch.

(iii) A new initial grab sample shall be collected whenever a new waste stream (i.e. contaminated soils from a different remediation site, wastewater treatment filter cake from a different generator) is included in a batch. For sand blast grits, a new initial grab sample shall be collected when a sand blast grit that carries a hazardous waste code other than D008 is included in a treatment batch.

(i) <u>Outgoing Shipments of Waste</u>

For each outgoing shipment of waste initially accepted by the permittee from off-site or mixtures or residues generated by the permittee from the storage, transfer or treatment

of waste accepted from off-site, the manifest or the bill-of-lading used for ID 27 dry industrial waste and ID 27A waste material consisting of asbestos or asbestos containing wastes and ID 72 bulk liquid and semi-liquids, shall include the identification of all Department hazardous waste number(s) or solid waste identification number(s) assigned by the original off-site generators to the wastes included in the shipment or from which the waste mixture or residue was generated by the permittee, except:

(1) Where the Department hazardous waste code assigned by the original generator was a characteristic code described at 40 C.F.R. §§ 261.21 through 261.24 and the permittee has treated the waste to no longer exhibit said characteristic, then said characteristic code need not be included on the manifest, but shall instead be identified on a separate sheet attached to the facility copy of the manifest which shall be kept on file at the facility, and

(2) Where the Department hazardous waste number(s) assigned by the original off-site generator was incorrect, and the permittee has determined the correct number(s) for the waste and has complied with the requirements of 40 C.F.R. § 264.72, and 40 C.F.R. § 264.76, then the correct hazardous waste number(s) shall be substituted for the incorrect hazardous waste number(s) originally assigned by the off-site generator.

(j) The permittee, if offered hazardous waste of a type which the facility is not authorized to handle, shall:

(1) Not accept the waste from the hauler;

(2) Instruct the hauler to contact the generator for further instructions;

(3) Telephone the generator, and inform the generator that the permittee is not authorized to accept the waste and that the permittee has instructed the hauler to contact the generator for further instructions;

(3) Follow up the telephone call to the generator with a letter verifying the telephone conversation;

(4) Telephone the Department, at (609) 292-8341, and report the unauthorized waste shipment; and

(5) Follow up the telephone call to the Department with a letter verifying the telephone conversation.

(k) Analyses shall be performed and retained in accordance with the Quality Assurance/Quality control methodology established by the Department.

(l) Sampling methods shall be in accordance with the procedures as outlined in the waste analysis plan cited in Condition 12(b)5 of Section II of this permit, and shall employ equipment as prescribed in the latest edition of EPA Manual SW 846.

(m) The permittee shall not accept waste from off-site generators that have not been fully identified and classified in accordance with 40 C.F.R. § 264.13 et seq. and the Waste Analysis and Quality Assurance requirements of Condition 3 of Section III of this permit. The permittee shall not accept from off-site generators any wastes which are not authorized at Condition 2 of Section III of this permit.

(n) The permittee shall maintain in the written Operating Record required by Condition 7 of Section II of this permit, as per 40 C. F.R. § 264.73(b)3, records and results of all waste analyses performed. Such records and results shall be entered into the written Operating Record as they become available and shall be maintained until closure of the facility.

(o) The permittee shall also maintain the following information as per 40 C.F.R. § 270.30(j)(3) in the written Operating Record:

(1) The date, exact place, and time of sampling or measurements;

(2) The individual (s) who performed the sampling or measurements;

(3) The date(s) the analyses were performed;

(4) The individual(s) who performed the analysis;

(5) The analytical techniques or methods used; and

(6) The results of the analysis.

(p) No changes shall be made to the waste analysis plan without the prior approval of the Office of Permitting.

4. Inspection Requirements (40 C.F.R. § 264.15, § 264.174, § 264.195 and § 270.14(b)(5))
Modified 05/22/02

(a) The permittee shall inspect the areas and items listed below as detailed in the Part B permit application cited in Condition 12 of Section II of this permit on a weekly basis for deterioration or malfunction as noted which may lead to a discharge of hazardous or non-hazardous waste or a threat to human health and the environment. Results of the inspections shall be made part of the inspection log and shall be maintained as specified in Condition 4(g) of this Section.

(1) Container Storage/Treatment Area(s)

(i) All containers securely closed
(ii) Any leaking containers
(iii) Any containers swollen or bulged
(iv) Any containers concaved due to internal vacuum build up
(v) Any containers with corrosion
(vi) All containers properly labeled and identified
(vii) All containers compatible with the waste stored in them

(viii) Adequate aisle space access
(ix) All containers supported above any standing liquids

(2) Site Safety and Emergency Equipment

(i) Proper operation of internal communication equipment
(ii) Proper operation of telephone system
(iii) Proper operation and supply of protective clothing

(3) General Facility Area

(i) Corrosion or damage to site fencing, ladders, platforms, stairways or walkways
(ii) Proper operation of site gate and gate lock
(iii) Warning signs visible and undamaged

Modified 05/22/02

(b) The permittee shall inspect the areas and items listed below and as detailed in the Part B Permit Application cited in Condition 12(a) of Section II of the permit on a monthly basis for deterioration or malfunction as noted which may lead to a discharge of hazardous waste or a threat to human health and the environment. Results of the inspections shall be made part of the inspection log and be maintained as specified in Condition 4(g) of this section.

(1) Adequate pressure and charge of fire extinguishers
(2) Proper operation and maintenance of tank high level alarms
(3) Proper operation and maintenance of tank high level automatic feed cut-off devices
(4) Proper operation and maintenance of all tank gauges
(5) Adequate supply and operation of first aid equipment and supplies
(6) Adequate supply and proper maintenance of all emergency equipment and supplies
(7) Adequate supply of spill absorbent and overpack drums
(8) Power, wear or wiring deterioration of electric motors, fire alarm system or communication systems.

(c) The permittee shall inspect the site for adequate fire hydrant water pressure on an annual basis.

(d) <u>Inspection Requirements for the Hazardous Waste Aboveground Storage/Treatment Tanks</u>

(1) The permittee shall comply with the inspection requirements of 40 C.F.R. 264.195 and the plan referenced in Condition 12(b)6 of Section II of this permit. The inspection shall be made at least once on each operating day, for equipment malfunction, structural deterioration, operation error, spills and leakage or discharges. The results of the inspections shall be documented in the operating

record and shall be maintained at the facility for three (3) years from the date of inspection. The permittee shall conduct inspections as outlined below:

Activity/Equipment	Inspected for
Tank Shells	Corrosion, wet seams, bulges, rivets or welds
Tank Support	Corrosion, deterioration
Overfill Prevention Controls	Deterioration, damage, function
Spill Prevention Controls	Deterioration, leaks, damage, function
Tank Ancillary Equipment	Deterioration, leaks, damage, function
Containment System	Erosion, wet spots, cracks, gaps, uneven settlement, spalling, spills, precipitation
Tank Labels, Warning Signs	Visibility
Emergency Equipment	Function, unobstructed availability

Section III, Condition 4(d)2 Deleted 8/10/99

Section III, Condition 4(d)(3) Deleted 09/25/01

Added 8/10/99

(e) Inspection Requirements for the Non-Hazardous Waste Aboveground Storage/ Treatment Tanks

(1) The permittee shall make the inspections at least once on each operating day, for equipment malfunction, structural deterioration, operation error, spills and leakage or discharges. The results of the inspections shall be documented in the operating record and shall be maintained at the facility for three (3) years from the date of inspection. The permittee shall conduct inspections as outlined below:

Activity/Equipment	Inspected for
Tank Shells	Corrosion, wet seams, bulges, rivets or welds
Tank Support	Corrosion, deterioration
Overfill Prevention Controls	Deterioration, damage, function
Spill Prevention Controls	Deterioration, leaks, damage, function
Tank Ancillary Equipment	Deterioration, leaks, damage, function
Containment System	Erosion, wet spots, cracks, gaps, uneven settlement, spalling, spills, precipitation
Tank Labels, Warning Signs	Visibility
Emergency Equipment	Function, unobstructed availability

Added 05/22/02

(f) Inspection Requirements for the Containment Building

(1) The permittee shall inspect and record in the facility's operating record, at least once every seven (7) days, data gathered from monitoring equipment and leak detection equipment as well as the containment building and the area immediately surrounding the containment building to detect signs of releases of hazardous waste. The permittee shall conduct inspections as outlined below:

Activity/Equipment	Inspected for
Lighting	Proper Operation
Primary and Secondary Inspection Sumps	Accumulated Liquids
Process Floor (visible areas), Joints (visible areas), Secondary Containment and Push Walls, Building Walls, Columns and Supports	Significant Cracks, Gaps, Corrosion, or Other Deterioration that Could Cause Hazardous Waste to be Released

Air Pollution Control and Ventilation System	Proper Operation
General Exterior Inspection	Signs of Release of Hazardous Waste
Doors, Windows, Vents and Cracks	Visible Emissions in Accordance with 40 C.F.R. Part 60, Appendix A, Method 22

Modified 05/22/02

(g) A log shall be kept of all inspections specified in Conditions 4(a) through 4(f) of this section to confirm adequate maintenance of the hazardous/non-hazardous waste storage and treatment units and all associated appurtenances. Results of all required inspections shall be maintained in the log at the facility for at least three (3) years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.

Modified 05/22/02

(h) The permittee shall remedy any deterioration or malfunction of equipment or structures, which the inspection reveals on a schedule, which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.

5. Closure of the Hazardous Waste Management Units (40 C.F.R. 264.110)

Modified 05/22/02

(a) Container Storage, Treatment and Transfer Areas

At the time of final closure, the permittee shall close the Hazardous Waste Container Storage, Treatment and Transfer Units in the manner that is stated in 40 C.F.R. Part 264, Subpart G and the closure plan referenced in Condition 12(b)7 of Section II of this permit, and the following:

(1) All hazardous wastes shall be removed from the hazardous waste container storage areas and manifested to an authorized facility within ninety (90) days after receiving the final volume of waste;

(2) All hazardous waste residues shall be removed from the containment system and manifested to an authorized facility. Decontamination of the containment system shall be conducted by washing with detergent and water at high pressure, within ninety (90) days after the removal of hazardous waste from the units. The wash water resulting from the decontamination shall be collected and shipped off-site to an authorized facility;

(3) Final rinse water from the hazardous waste container storage areas and a wash water blank sample shall be collected and tested for the parameters listed in Table 5.1 of the Facility Closure Decontamination Sampling Plan referenced in

Condition 12(b)7 of Section II of this permit. Decontamination methods shall be repeated until the concentrations of the rinse water test parameters are equal to the amount present in a wash water blank. The analysis results of final rinse water sample and the wash water blank shall be submitted to the Department at the address listed in Condition 11(a) of Section II of this permit, within sixty (60) days from the date of sampling;

(4) The permittee shall retain the equipment or structures that require decontamination by the closure plan referenced at Condition 12(b)7 of Section II of this permit on-site until the facility has received a written determination from the Department that the decontamination levels specified by the closure plan have been achieved and the analytical results are acceptable to the Department, unless the permittee decides to dispose of the equipment or structures as hazardous waste; and

(5) Closure soil sampling around the container storage, treatment and transfer areas shall be conducted in accordance with the Revised Soil Sampling and Analytical Closure Plan referenced in Condition 12(b)7 of Section II of this permit. Soil sampling shall be conducted within one hundred eighty days (180) days from the date of implementation of the closure plan. Soil sampling shall not be conducted prior to the removal of all hazardous waste from the units. The permittee shall notify in writing the Department at the address listed in Condition 11(a) of Section II of this permit at least fourteen (14) calendar days prior to initiation of soil sampling so that an auditor from the Department can be present during the soil sampling episode. Soil sampling analytical results required by this closure plan shall be submitted for the Department's review to the address listed at Condition 11(a) of Section II of this permit within ninety (90) days from the date of the sampling.

Modified 8/10/99

(b) Aboveground Hazardous Waste Storage/Treatment Tanks

Modified 05/22/02

At the time of final closure, the permittee shall close the Hazardous Waste Aboveground Tank Storage/Treatment Units in the manner that is stated 40 C.F.R. Part 264, Subpart G and the closure plan referenced in Condition 12(b)7 of Section II of this permit, and the following:

(1) The permittee shall remove and ship all wastes from the hazardous waste storage/treatment tanks specified in Condition 1(b)(1) of this section to an authorized facility within ninety (90) days from the date of implementation of the closure plan.

(2) The permittee shall decontaminate all hazardous waste storage/treatment tanks specified in Condition 1(b)(1)(i) of this section, all tank piping and all other tank equipment (hoses, pumps, valves, etc.) by power washing with detergent/water. The wash water resulting from the decontamination process shall be collected and shipped to an authorized facility.

(3) The permittee shall decontaminate the hazardous waste secondary contaminant units for all hazardous waste storage/treatment tanks specified in Condition 1(b)(1) of this section by power washing with detergent/water. The wash water resulting from the decontamination process shall be collected and shipped off-site to an authorized facility.

(4) The permittee shall test the final wash water resulting from the decontamination of all secondary containment units, hazardous waste storage/treatment tanks, and all tank appurtenances and a wash water blank for the parameters listed in Table 5.1 of the Facility Closure Decontamination Sampling Plan referenced in Condition 12(a) of Section II of this permit. Decontamination methods shall be repeated until the concentrations of the final waste water test parameters are equal to the amount present in a wash water blank. Wash water analysis results shall be submitted to the Department at the address listed in Condition 11(a) of Section II of this permit within sixty (60) days from the date of sampling for review and approval of adequate decontamination.

(5) Closure soil sampling of the areas around the storage/treatment tank(s) shall be conducted in accordance with the Revised Soil Sampling and Analytical Closure Plan referenced in Condition 12(b)7 of Section II of this permit. Soil sampling shall be conducted within one hundred eighty days (180) from the date of implementation of the closure plan. Soil sampling shall not be conducted prior to the removal of all hazardous waste from the units. The permittee shall notify in writing the Department at the address listed in Condition 11(a) of Section II of this permit at least fourteen (14) calendar days prior to initiation of soil sampling so that an auditor from the Department can be present during the soil sampling episode. Soil sampling analytical results required by this closure plan shall be submitted for the Department's review to the address listed at Condition 11(a) of Section II of this permit within ninety (90) days from the date of the sampling.

Added 8/10/99

(c) Non-Hazardous Waste Aboveground Storage/Treatment Tanks

(1) The permittee shall remove and dispose of properly all non-hazardous waste from the storage/treatment tanks authorized by Condition 1(b)(1)(ii) of this Section within ninety (90) days from the date of implementation of closure.

(2) The permittee shall decontaminate all non-hazardous waste storage/treatment tanks authorized by Condition 1(b)(1)(ii) of this section, all tank piping and all other tank equipment (hoses, pumps, valves, etc.) by power washing with detergent/water. The wash water resulting from decontamination process shall be collected and disposed of properly.

(3) The permittee shall decontaminate the non-hazardous waste secondary containment unit(s) for all non-hazardous waste storage/treatment tanks authorized by Condition 1(b)(1)(ii) of this section by power washing with detergent/water. The wash water resulting from the decontamination process shall be collected and disposed of properly.

(4) Closure soil sampling of the areas around the non-hazardous waste storage/treatment tanks shall be conducted in accordance with Condition 5(b)(5) of this Section at the time of final closure of the hazardous waste storage/treatment tanks authorized by Condition 1(b)(1)(i) of this Section.

(5) The permittee shall complete closure activities for the non-hazardous waste storage/treatment tanks within one hundred eighty (180) days after the tank(s) receive the final volume of non-hazardous waste.

(6) Within two hundred forty (240) days from the date of implementation of closure, when closure is completed, the owner or operator shall submit to the Department, at the address listed in Condition 11(a), Section II of this permit, by certified mail, a certification that the non-hazardous waste management unit(s) or facility, as applicable, has been closed in accordance with the conditions of this permit. The certification must be signed by the owner or operator.

(7) The Department will review the submitted certification and will conduct a closure certification inspection. If there is a satisfactory closure certification inspection, the Department will accept the closure certification and the closure will be deemed complete.

(8) The permittee shall notify the Department in writing at least forty five (45) days prior to the date the permittee expects to begin closure of the non-hazardous waste storage/treatment tank(s), except in cases where the facility's permit is terminated or if the facility is otherwise ordered by judicial decrees or compliance order to close. The date when the owner or operator expects to begin closure shall be within thirty (30) days after the date on which the owner or operator expects to receive the final volume of non-hazardous waste.

Modified 8/10/99

(d) Closure of the Proposed Hazardous Waste Storage/Treatment and Transfer Areas

Modified 05/22/02

At the time of final closure, the permittee shall close the Hazardous Waste Storage, Treatment and Transfer Units in the manner that is stated in 40 C.F.R. Part 264, Subpart G and the closure plan referenced in Condition 12(b)7 of Section II of this permit, and the following:

(1) The permittee shall remove all hazardous waste from the hazardous waste storage, treatment and transfer area(s) within ninety (90) days after the date the area(s) receives the final volume of waste and ship the waste to an authorized facility;

Modified 05/22/02

(2) The permittee shall within ninety (90) days after the removal of hazardous waste remove or decontaminate by washing with detergent and water at high pressure all waste residues, contaminated system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate, and manage them as hazardous waste unless 40 C.F.R 261.3(d) applies;

(3) The permittee shall collect the final rinse water and wash water blank samples and test them for the parameters listed in Table 5.2 of the facility Closure Decontamination Sampling Plan referenced in Condition 12(b)7 of Section II of this permit. Decontamination methods shall be repeated until the concentrations of the rinse water test parameters are equal to the amount present in a wash water blank. Rinse water and wash water blank analysis results shall be submitted to the address listed in Condition 11(a) of Section II of this permit within sixty (60) days from the date of sampling; and

(4) The permittee shall retain the equipment or structures that require decontamination by the closure plan referenced at Condition 12(b)7 of Section II of this permit on-site until the facility has received a written determination from the Department that the decontamination levels specified by the closure plan have been achieved and the analytical results are acceptable to the Department, unless the permittee decides to dispose of the equipment or structures as hazardous.

(5) Closure soil sampling around the hazardous waste storage, treatment and transfer areas shall be conducted in accordance with the Revised Soil Sampling and Analytical Closure Plan referenced in Condition 12(b)7 of Section II of this permit. Soil sampling shall be conducted within one hundred eighty (180) days from the date of implementation of the closure plan. Soil sampling shall not be conducted prior to the removal of all hazardous waste from the units. The permittee shall notify in writing the Department at the address listed in Condition 11(a) of Section II of this permit at least fourteen (14) calendar days prior to initiation of soil sampling so that an auditor from the Department can be present during the soil sampling episode. Soil sampling analytical results required by this closure plan shall be submitted for the Department's review to
the address listed at Condition 11(a) of Section II of this permit within ninety (90) days from the date of sampling.

Added 05/22/02

(6) If, after removing or decontaminating all residues and making all reasonable efforts to effect removal or decontamination of contaminated components, subsoils, structures, and equipment as required in Condition 5(d)(2) above during the closure of the containment building, the permittee finds that not all contaminated subsoils can be practically removed or decontaminated, the permittee shall close the containment building and perform post-closure care in accordance with the closure and post-closure requirements that apply to landfills at 40 C.F.R. 264.310. In addition, for the purpose of closure, post-closure, and financial responsibility, such a containment building is then considered to be a landfill, and the permittee shall meet all of the requirements for landfills specified in 40 C.F.R. Part 264, Subparts G and H.

Modified 8/10/99

(e) The permittee shall complete closure activities for hazardous waste unit(s) within one hundred eighty (180) days after the unit receives the final volume of hazardous waste.

Modified 8/10/99

(f) Within two hundred forty (240) days from the date of implementation of the closure plan, when closure is completed, the owner or operator shall submit to the Department, at the address listed in Condition 11(a) of Section II of this permit, by registered mail, a certification that the hazardous waste management unit or facility, as applicable, has been closed in accordance with the specifications in the approved closure plan and the conditions of this permit. The certification must be signed by the owner or operator and signed and sealed by an independent professional engineer registered in the State of New Jersey.

Modified 8/10/99

(g) The Department will review the submitted certification and rinse water analysis results and will conduct a closure certification inspection. If the rinse water analysis results are determined to be satisfactory and there is a satisfactory closure certification inspection, the closure certification will be accepted by the Department and the closure will be deemed complete.

Modified 8/10/99

(h) The permittee shall keep a copy of the closure plan and all revisions to the plan at the facility until closure is completed.

Modified 8/10/99

(i) The permittee shall amend the closure plan any time changes in operating plans or facility design affect the closure plan or whenever there is a change in the expected year of closure of the facility. The permittee must comply with the requirements cited at 40 C.F.R. 264.112(c)(3) for amendment of the closure plan.

Modified 8/10/99

(j) The permittee shall notify the Department at least forty five (45) days prior to the date the permittee expects to begin closure, expect in cases where the facility's permit is terminated or if the facility is otherwise ordered by judicial decrees or compliance order to close. The date when the owner or operator "expects to begin closure" shall be within thirty (30) days after the date on which the owner or operator expects to receive the final volume of wastes.

6. Construction/Installation Requirements

Upon issuance of this permit, the permittee shall comply with the procedures outlined below:

(a) The permittee shall construct/install the following proposed waste management unit(s) authorized by this permit and the Part B permit application documents and engineering designs referenced at Condition 12(a) of Section II of this permit:

Modified 05/22/02

Proposed Waste
Management Unit(s)

Processing Building
Tanker Storage Area

Storage/Processing Building
Containment Building
West Loading/Unloading Area Adjacent to the Existing QA/QC Dock
Non-Hazardous Waste Container Storage Pad

(b) Construction/Installation of the proposed waste management unit(s) shall be completed before the expiration date of this permit.

(c) The permittee may elect not to construct/install any proposed waste management unit(s) authorized by this permit which is not necessary for compliance with 40 C.F.R. et seq. or the conditions of this permit.

Modified 05/22/02

(d) The permittee shall not treat, store or transfer waste at the following locations under the following conditions:

(1) Area "C" authorized by Condition 1(a)1 of this Section during the construction of the proposed processing building authorized by Condition 1(a)(14) of this Section; and

(2) The gravel surface located along the northern perimeter of the facility by the QA/QC dock authorized by Condition 1(a)4 of this Section during the construction of the proposed containment building authorized by Condition 1(c)(2) of this Section.

(3) Existing solidification/stabilization at area #1 in concrete cells authorized by Section III, Condition 1(c)(1) of this Section during the closure of this area.

(e) The permittee shall not commence storage, treatment or transfer of waste at any proposed waste management area(s) authorized by this permit until the procedures detailed below have been completed, and the Department has approved of the construction:

Modified 05/22/02

(1) Within thirty (30) days after completion of the construction/installation specified in Condition 6(a) above, the permittee shall submit to the Department by Certified Mail or hand delivery a letter signed by the permittee and a licensed professional engineer registered in the State of New Jersey stating that the facility has been constructed or modified in compliance with the permit. Prior to conducting operations in the proposed containment building, the permittee shall submit to the Department, at the address listed in Section II, Condition 11(a) of this permit, a certification by a qualified professional engineer registered in the State of New Jersey that the containment building meets the requirements set forth in 40 C.F.R. 264.1101(a) through (c).

(2) The Department shall inspect the facility to determine whether or not it is in compliance with the layout and specifications of the design plans set forth in the engineering plans and reports. If within fifteen (15) days of the date of submission of a letter pursuant to the paragraph above, the permittee has not

received from the Department notice of intent to inspect, prior inspection is waived and it is understood that the facility meets the design requirements. If the facility is not in compliance with the approved design, a schedule shall be submitted within thirty (30) days of the date of the Department's inspection outlining how the facility will be brought into compliance. The schedule shall be subject to the Department's approval.

Section III, Conditions 6(f), (g), (h) and (i) Deleted 09/25/01

Section III, Condition 7 Deleted 09/25/01

End of Section III

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